



CRL OP(MD). No.15153 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15153 of 2024

P.Kavitha

... Petitioner/ Accused No.4

Vs

The Special Sub-Inspector of Police,
DCB-Anti Land Grabbing Special Cell,
Dindigul.

Crime No.30 of 2014

... Respondent/Complainant

For Petitioner : Mr.Jerry V.V.Sundar, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.30 of 2014 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 420, 465, 468, 469 and 109 of IPC in Crime No.30 of 2014, seeks anticipatory bail.

2. The case of the prosecution is that one Karuppiah had forged the documents

<https://www.mhc.tn.gov.in/judis>



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and obtained patta and fraudulently transferred the property to one Balamurugan.

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Subsequently, the petitioner and other accused had jointly purchased the property from the said Balamurugan. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the nature of allegation that the petitioner is only a subsequent purchaser, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Dindigul, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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fail

(b)the petitioner shall report before the trial Court on all hearing dates without

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr



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TO செய்து உரிமை

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1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE SPECIAL SUB-INSPECTOR OF POLICE,
DCB ANTI- LAND GRABBING SPECIAL CELL, DINDIGUL.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.JERRY V.V.SUNDAR, Advocate (SR-11185[I] dated 11/09/2024)

ORDER

IN

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Date :10/09/2024

RS/JGB/SAR-(01.10.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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