



CRL OP(MD). No.15500 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15500 of 2024

Jegan.

... Petitioner/ Accused No.7

Vs

The State Rep By,
The Sub Inspector of Police,
District Crime Branch,
Sivagangai District.
Crime No.16/2024.

... Respondent/Complainant

For Petitioner : Mr.D.Rameskumr,
Advocate.

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

For Intervener : Mr.Arun Swaminathan,
Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.16/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 465, 467, 468, 471, 420 and 120B of IPC, in Cr.No.16 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have impersonated the defacto complainant and registered his property to the third parties by creating and forging the document. Hence, the complaint.

3.Heard both sides.

4. The learned counsel appearing on behalf of the defacto complainant objects to grant of anticipatory bail to this petitioner on the ground that the document is said to be cancelled and this petitioner, who was stood as a witness is also friends with the other prime accused.

5. Considering the fact that the prime accused has also filed an affidavit in his bail application that he is willing to co-operate for cancellation of deeds and



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considering the fact that as per the allegations, the deed is one of the forgery, and by impersonation will not have any legal effect at all even if left without cancelling also and considering the fact that the complainant is the owner of the property and fencing the land and the possession of the property is intact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of 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, Sivagangai, 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;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;



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(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/-
23/10/2024

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/11/2024
Sub-Assistant Registrar
(CS-I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO
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1. The Judicial Magistrate No.II,
Sivagangai.
- 2.Do-Through,
The Chief Judicial Magistrate,
Sivagangai.
3. The Inspector of Police,
District Crime Branch, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.15500 of 2024
Date : 23/10/2024

SI/ MMS/ /-(14.11.2024) 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.