



CRL OP(MD). No.16300 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16300 of 2024

D.Thangapandian

... Petitioner/ Accused No.12

Vs

The State of Tamilnadu,  
Rep by the Deputy Superintendent of Police,  
CBCID Theni.  
Crime No.2/2022..

... Respondent/Defacto Complainant

For Petitioner : Mr.C.Jeganathan,  
Advocate.

For Respondent : Mr.Veera Kathiravan  
Additional Advocate General  
Assisted by Mr.R.M.Anbunithi,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.2/2022 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 27.08.2024 for the offences punishable under Sections 409, 465, 466, 468, 471, 472, 477 (A) r/w. 109 IPC and 13(2) r/w. 13(1)(c), 13(1)(d) of Prevention of Corruption Act, 1988 and 13(2) r/w. 13(1)(a) of Prevention of Corruption (Amendment) Act, 2018 in crime No. 2 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused have indulged in converting the Government Poramboke land as private lands in connivance with the officials. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Advocate General appearing for the respondent and perused the materials available on record.

4. This case is serious in nature. All these accused have conspired together and tried to knock off the Government property including the water bodies. The petitioner was arrested on 27/8/2024. Subsequently, the pattas were cancelled and the lands are restored in the revenue records to the original position. Considering the



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duration of custody of the petitioner and the submission made by the the learned counsel for the petitioner that the petitioner is only a vendor, who has already sold the property, however, he will not claim any right over the property in future and that if any signature is required for cancelling the document formally, he will cooperate and cancel the document, I am inclined to enlarge the petitioner on bail

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Chief Judicial Magistrate, Theni.

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

(ii) The petitioner shall file an affidavit to the effect that the petitioner will not claim any right over the property and will expressly acknowledge that the property is a Government interest property and that he will cooperate for the cancellation if the document is needed in future or at any point of time;



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

(iv)the petitioner shall not tamper with evidence or witness;

v)the petitioner shall not abscond during trial.

vi)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].

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

sd/-  
26/09/2024

/ TRUE COPY /

26/09/2024

Sub-Assistant Registrar (PA-I/ AD-I )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP

TO

1. THE CHIEF JUDICIAL MAGISTRATE, THENI.

2. THE OFFICER IN CHARGE, DISTRICT JAIL, THENI.

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



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3. THE DEPUTY SUPERINTENDENT OF POLICE,  
CBCID THENI.

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

+1 CC to M/s.C.JEGANATHAN, Advocate ( SR-11774[I] dated 26/09/2024 )

ORDER  
IN  
CRL OP(MD) No.16300 of 2024  
Date :26/09/2024

RK (26/09/2024) 5P / 6C

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