



CRL OP(MD). No.17150 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17150 of 2024

Maria Kavitha,

... Petitioner /
Accused (Rank not known)

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
EOW-Thoothukudi,
Thoothukudi District.
(Crime No.2 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Vishnuvardhan.S
Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.2/2024 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 (Rank not known, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 409, 420, 467, 468, 471, 477(A) and 34 of IPC, in Crime No.2 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused forged the records and purchased the property from the Cooperative Society. Hence, the complaint.

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

4. Considering the allegations in this case that the petitioner's husband, without being a member, forged the records and purchased the property from the Cooperative Society, thereby causing loss to the society and thereafter, alienated the plot in favour of the petitioner and the petitioner having put up a construction and also obtained further loan by mortgaging the lands and there is an order of demolition which is passed by this Court and the matter is pending before the Hon'ble Supreme Court, whereas status quo has been ordered, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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5. Accordingly, the petitioner is ordered to be released on bail in the event of her arrest or on her 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 cum C.C.I.W-Special Court, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common 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 the interrogation.

(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



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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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/10/2024

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

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TO

1. The Judicial Magistrate No.II cum
C.C.I.W-Special Judge,
Tirunelveli.

2.Do-Through,
The Chief Judicial Magistrate,
Tirunelveli.

3. The Inspector of Police,
EOW-Thoothukudi,
Thoothukudi District.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
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Date : 21.10.2024

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

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