



CRL OP(MD). Nos.17625 and 17627 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). Nos.17625 and 17627 of 2024

Rajasuresh,

... Petitioner/ A6

in Crl.O.P.(MD)No.17625 of 2024

1. Marishkumar,

2. Dhanalakshmi,

3. Akila,

4. Maheshkumar,

... Petitioners/ A1, A3 to A5

in Crl.O.P.(MD)No.17627 of 2024

Vs

The State of Tamil Nadu,

Rep By,

The Inspector of Police,

District Crime Branch,

Trichy District.

Cr.No.69 of 2024.

... Respondent/ Complainant

in both petitions

In both petitions:

For Petitioner : M/s.D.Saravanan,

Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

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



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PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

COMMON PRAYER :-

For Anticipatory Bail in Crime no.69 of 2024 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 61(2), 318(4), 338 and 336(3) of BNS in Crime No.69 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is due to civil dispute between the parties, A1 and his father (A2) forged certain documents of the family property by conspiring with the other accused persons and created false documents and also transferred the same in various names vide Document No.1912 of 2024 etc relating to the property situated at S.Nos.88/2B, 248/4, 248/5 and 248/8A.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of the allegations in this case being in the nature of a long drawn civil dispute between the parties and since there is a claim regarding title dispute, it has to be seen whether the documents can be said as false documents as contested by the defacto complainant. In view of the said facts, I am inclined to



enlarge the petitioners on anticipatory bail, with certain conditions:

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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Lalgudi, on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners 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.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with



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law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
17/10/2024

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

SJI
TO
1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TRICHY DISTRICT.

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

+2 CC to M/s.D.SARAVANAN, Advocate (SR-12727 & 12728 [I] dated 19/10/2024)



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ORDER
IN
CRL OP(MD). Nos.17625 and 17627 of 2024
Date :17/10/2024

SA/JGB/SAR. /05.11.2024/5P/7C

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