



CRL OP(MD). No.17884 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17884 of 2024

Selvam

... Petitioner/ Accused Rank No.1

Vs

**The State of Tamil Nadu represented by
The Inspector of Police,
District Crime Branch Police Station,
Theni, Theni District.
Crime No.43 of 2023.**

... Respondent/Complainant

**For Petitioner : Mr.D.Rajaboopathy, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.43 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

29.08.2024 for the offences punishable under Sections 417, 468, 471, 420, 447, 427, 294

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(b) & 506(i) of IPC, in Crime No.43 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have sold the property belonging to the defacto complainant to the 'Devendra Kula Velalar Uravinmurai' by forging and creating the documents. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the 'Devendra Kula Velalar Uravinmurai' is not a legal person and the petitioners are all involved in forging the documents and creating patta in the name of the said entity, which would neither be a legal person nor a juristic person, and it is only promoting a caste identity and only considering the fact that the petitioner is in custody from 29.08.2024, this Court is inclined to grant bail to the petitioner on certain conditions.

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 Judicial Magistrate Court, Theni, Theni District.

(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

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card or Bank Pass Book to ensure their identity;

(ii)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;

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

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/10/2024

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19 / 10 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO
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- 1 THE JUDICIAL MAGISTRATE
THENI, THENI DISTRICT.
- 2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THENI, THENI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, THEGAMPATTI, THENI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17884 of 2024
Date :19/10/2024

PSP/ /SAR /19.10.2024/ 4P/ 6C

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