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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17918 of 2024

M.Uma Maheshwari

... Petitioner/ Accused Rank not Known

Vs

The Inspector of Police,
EOW Police Station,
Thoothukudi,
Thoothukudi District.
Crime No.2 of 2024

... Respondent/Complainant

For Petitioner : Mr.C.Jeganathan,
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public PRosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.2 of 2024 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 409, 420, 467, 468, 471 and 477(A) r/w. Section 34 of IPC, in Crime No.2 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had conspired with the other accused and sold the land measuring 4 cents and caused loss the Spic Employees Co-operative Housing Society. Hence, the complaint.

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

4. It is alleged that the petitioner is said to conspired with the other accused and by which the properties are said to have been sold to non-members and in respect of a demolition order passed, the matter is also pending before the Hon'ble Supreme Court of India. Considering the overall facts and circumstances of the case, I am of the view that the petitioner can be enlarged on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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, Tirunelveli, Tirunelveli District, on condition that the petitioner shall execute



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 am for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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;



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

sd/-
22/10/2024

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
TIRUNELVELI.
- 2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
EOW POLICE STATION, THOOTHUKDI,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



+1. CC to JEGANATHAN C Advocate SR.No.12986

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ORDER

IN

CRL OP(MD) No.17918 of 2024

Date :22/10/2024

MGJ/SN(14.11.2024) 5P 6C

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