



WEB COPY

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.18103 of 2024

1. Palanisamy

2. Balu Alias Vatti Balu

3. Sathishkumar

... Petitioners/ Accused No.8, 14 & 15

Vs

The State of Tamil Nadu,
Rep.by.The Inspector of Police,
DCB Police Station,
Trichy District.
Cr.No.69 of 2024.

... Respondent/ Complainant

For Petitioners: Mr.K.Prabhu
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SECTION.482 OF BNSS

PRAYER :- For anticipatory bail in Crime No.69 of 2024 on the file of the respondent police.



ORDER : The Court made the following order :-

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

2.The case of the prosecution is that A1 and A2 conspired along with other accused and alleged themselves as the legal heirs and created forged power of attorney deed and sold the same to the petitioners herein. Hence, the complaint.

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

4.Considering the nature of allegation in this case that being in the nature of long drawn civil dispute drawn between the parties and since there is a claim regarding title interse between the accused side and the defacto complainant side and further considering the fact that these petitioners are only the subsequent purchasers and considering the fact that the co-accused has already been granted anticipatory bail by order dated 17.10.2024 in CrI.OP(MD)No.17625 of 2024, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial

Magistrate, Lalgudi, Thiruchirappalli District, on condition that the petitioners shall

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execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two 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 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 two 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 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 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]; and;



(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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/ /2024

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

jbr

TO

1. The Judicial Magistrate,
Lalgudi, Thiruchirappalli District.

2.Do Through
The Chief Judicial Magistrate,
Tiruchirappalli.

3.The State of TamilNadu,
Rep.by.The Inspector of Police,
DCB Police Station,
Trichy District.

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-12908[I] dated 22/10/2024)

CRL OP(MD) No.18103 of 2024

Date :22/10/2024

KVL/15.11.2024 4P/6C

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