



CRL OP(MD). No.18348 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18348 of 2024

1. Aiyubkhan,

2. Dilshth Begum,

... Petitioners/ Accused 2 & 3

Vs

State of Tamil Nadu,
The Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.11 of 2024).

... Complainant/Respondent

For Petitioner : Mr.P Balamurugan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C



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PRAYER :-
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For Anticipatory Bail in Crime No.11 of 2024 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioners/ A2 and A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 465, 467, 471, 420 and 506(i) of IPC, in Crime No.11 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 executed a sale deed in favour of A3 by using the forged legal heir certificate of the defacto complainant. Thereafter, A3 started to construct the house on the above said property. When the same was questioned by the defacto complainant, the petitioners abused him in filthy language and made a life threat to him.

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

4.Considering the nature of allegations in this case and the petitioners being the



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subsequent purchasers of the property, and considering the detailed order which is passed in the earlier order in CrI.O.P.(MD)No.14688 of 2024 while granting anticipatory bail to the co-accused, I am inclined to enlarge the petitioners on anticipatory bail, with certain conditions:

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 No.II, Sivagangai, on condition that the petitioners shall 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 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

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a period of two weeks and thereafter, as and when required for interrogation.

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[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].

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

sd/-
24/10/2024

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/11/2024

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

SJI

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1. The Judicial Magistrate No.II, Sivagangai,
 2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
 3. The Inspector of Police,
District Crime Branch,
Sivagangai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.P.BALAMURUGAN, Advocate (SR-13061[I] dated 24/10/2024)

ORDER
IN
CRL OP(MD) No.18348 of 2024
Date :24/10/2024

RK/VR (20/11/2024) 5P / 6C
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