



CRL OP(MD)No.18649 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18649 of 2024

Balamurugan

... Petitioner/ Accused(Rank not known)

Vs

The Sub-Inspector of Police,
CCB Police Station,
Madurai City.
Crime No.01 of 2024

... Respondent/Complainant

For Petitioner : Mr.S.Arokiya Selva Ramesh
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.01 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for

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the alleged offence under Sections 120B, 419, 420, 465, 467, 468 & 471 of IPC, in Crime No.01 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused indulged in creating a forged document and created bogus Power of Attorney. Subsequently, sale deed has been registered. 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 the prime accused in this case indulged in creating a forged document, whereby, when the property is not in the name of the particular individual, it is already been resettled in her father's name, as if the said individual has executed a Power of Attorney and a bogus Power of Attorney is created and subsequent sale deed has also been registered and the petitioner herein is the Village Administrative Officer, who has mutated the village records on the basis of the sale deed and only considering the role played by the petitioner herein that he is no way involved in the entire episode for forging the document, the creation of Power of Attorney or the sale deed and he only made the



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entries in the village records, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions. It is also submitted that the even the alleged wrong cancellation has been cancelled by the petitioner herein and the patta has been restored.

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.I, Madurai, on condition that the petitioner shall execute 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 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 a.m., 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;
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(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;

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

sd/-
28/10/2024

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/11/2024

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

jbr

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TO
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1. THE JUDICIAL MAGISTRATE NO.I, MADURAI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE SUB-INSPECTOR OF POLICE,
CCB POLICE STATION,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.18649 of 2024
Date :28/10/2024

RK/VR (21/11/2024) 5P / 5C

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