



CRL OP(MD). No.19980 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19980 of 2024

Ajmal Khan

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
DCB, Ramanathapuram District.
(Crime No.11 of 2023)

... Respondent/Complainant

For Petitioner : Mr.M.Maran,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.11/2023 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 the alleged offences under Sections 465, 468, 471, 420, 423 and 120(B) of IPC, in Crime



CRL OP(MD). No.19980 of 2024

No.11 of 2023 on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that A1 is the owner of the property and he had already sold this property in favour of the defacto complainant. Subsequently, the very same property was sold in favour of the petitioner (A2), A3, who is the sub registrar, had facilitated in this transaction. There are totally 3 accused persons in this case and the petitioner has been arrayed as A2.

3. The learned counsel for the petitioner submitted that the sale deed, executed in favour of the petitioner in Document No. 4414 of 2022, was subsequently cancelled by the District Sub Registrar through proceedings dated 30.01.2023 and the same was also incorporated in the encumbrance certificate dated 10.09.2024. In view of the same, it was contended that the sale deed that was executed in favour of the petitioner, presently stands cancelled.

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

5. Taking into consideration the facts and circumstances of the case and considering the fact that the sale deed executed in favour of the petitioner has already been cancelled by the District Registrar through proceedings dated 30.01.2023 and the entire case is borne out by records, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD). No.19980 of 2024

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Ramanathapuram, 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 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 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 on every Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

[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



CRL OP(MD). No.19980 of 2024

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 absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
19/11/2024

/ TRUE COPY /

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

PAL
TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DCB,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M.MARAN, Advocate (SR-14199[I] dated 19/11/2024)



WEB COPY



CRL OP(MD). No.19980 of 2024

ORDER
IN
CRL OP(MD) No.19980 of 2024
Date :19/11/2024

SA/SAR. /23.11.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.