



CRL OP(MD). No.20428 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Kamalatchi

... Petitioner/1st Accused

Vs

The State of Tamil Nadu,
rep.by Inspector of Police,
District Crime Branch,
Theni.
(Crime No.22 of 2024)

..Respondent/defacto Complainant

For Petitioner : Mr.K.Appadurai, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/1st accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 417, 420 and 120-B IPC



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in Crime No.22 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the second accused is the original owner of the subject property. There was also a dispute between the second accused and one Gangammal and three others and the said Gangammal and three others filed a suit in O.S.No.54 of 2024 before the Sub Court, Theni and an order of interim injunction was also passed in their favour. In spite of the same, the second accused is said to have executed a sale deed in favour of the first accused, which was registered as Document No.49 of 2024. Thereafter, the first accused is said to have entered into an agreement of sale with the defacto complainant. The second accused stood as witness in the sale agreement. Thereafter, the sale deed was not executed and the amount was also not repaid back and the same resulted in giving complaint to the Police.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the entire case is borne out by records and the custodial interrogation may not be required in this case insofar as the petitioner is concerned and the petitioner was not a party to the suit, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Periyakulam 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[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/-
25/11/2024

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/ 12 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI.

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

+1 CC to M/s.K.APPADURAI, Advocate (SR-14490[I] dated 25/11/2024)

ORDER
IN
CRL OP(MD) No.20428 of 2024
Date :25/11/2024



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PSP/ GSV /SAR /03.12.2024/ 5P/ 6C

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