



CRL OP(MD). No.20908 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Ramesh

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
District Crime Branch , Theni District.
Crime No. 31/ 2024.

... Respondent/ Complainant

For Petitioner : M/s Ramanathan.S, 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. 31 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 the alleged offence under Sections 417, 419, 468, 471, 420 and 120B IPC in



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Crime No.31 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 owner of the property was impersonated and a fabricated document was created and property was sold in favour of one Periyakaruppan through a sale deed, dated 27.01.2000 registered in Doc.No.74/2000. The deceased Periyakaruppan separately dealt with an extent of 1.89 acres, for which, allegations have been made as against A1 to A3. A portion of property was sold in favour of A4 and he in turn sold the property in favour of the petitioner (A5) through registered sale deed, in the year 2022. The petitioner has been arrayed as A5 in this case.

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

4. This Court has already considered the case in detail and granted anticipatory bail to A1 to A4. The reason that was given by this Court to those persons is applicable to the petitioner also. That apart, the entire case is borne out by records and the petitioner was not even in the scene, when the fabricated sale deed was created in the year 2000. In any case, if ultimately, the document is found to be a forged document through impersonation, no title will pass on to the subsequent purchasers. Taking into consideration of the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.



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5. Accordingly, this criminal original petition is ordered and 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, Theni, 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 fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
29/11/2024

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

PNM

TO

1 THE JUDICIAL MAGISTRATE
THENI.

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

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



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

ORDER
IN
CRL OP(MD) No.20908 of 2024
Date :29/11/2024

PSP/ VR /SAR /10.12.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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