



CRL OP(MD) No.23095 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23095 of 2023

1 K.SOUNDARRAJAN
2 KANMANI JOAN OF ARCH
3 SUNDARAMOORTHY @ SUNDARASAMY

... PETITIONERS
/ ACCUSED NO.1,2 & 3

Vs

THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION,
TRICHY CITY.
CRIME NO.698/2017

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioners : MR.S.VEDAVALLI, Advocate
For Respondent : MR.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.698/2017 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for
the alleged offence under Sections 147, 148, 294(b), 341, 324, 365 and 506(2) IPC in
Crime No.698 of 2017, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the power agent
<https://www.mhc.tri.gov.in/judis>



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of one somasundaram and is working as Manager under the wife of Somasundaram and for the Power Project, they have purchased some properties, in which, the petitioners and the other accused persons fabricated the records and impersonated several persons and executed sale deed. On 23.12.2016, when the defacto complainant went to the Sub-Registrar Office, the petitioners and the other accused persons abused the defacto complainant in filthy language and forcibly took him to nearby place and attacked him and seized the documents from his hands. Thereafter, the fourth accused along with some other persons took the defacto complainant in a two wheeler and kidnapped him to Panjapur and attacked him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and they have been falsely implicated in this case. She would further submit that subsequent to the filing of this complaint, the petitioners have paid some amount in favour of the defacto complainant. Hence, she prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and the nature of allegations levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, the petitioners are granted anticipatory bail and they 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Trichy, 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 and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



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(f) 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]; and;

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

sd/-
05/01/2024

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/01/2024

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

SSB

TO

1 THE JUDICIAL MAGISTRATE NO.II, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, K.K.NAGAR POLICE STATION, TRICHY CITY.

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

+3. CC to MR.A.HAJA MOHIDEEN Advocate SR.No.523[F] Dated 05/01/2024



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ORDER

IN

CRL OP(MD) No.23095 of 2023

Date :05/01/2024

RS/JGB/SAR-(31.01.2024) 5P 8C

Madurai Bench of Madras High Court is issuing
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