



CRL OP(MD) No.23353 of 2023

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

Monday, the Twenty Fifth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.O.P(MD).Nos.23353 and 23425 of 2023 and 3957 of 2024

PALRAJ

**... PETITIONER / ACCUSED No.4
IN CRL OP(MD)No. 23353 OF 2023**

BACKIARAJ

**...PETITIONER/ ACCUSED NO.3
IN CRL OP(MD)NO.23425 of 2023**

TAMILSELVAN

**...PETITIONER/ ACCUSED RANK NOT KNOWN
IN CRL OP(MD)No. 3957 of 2024**

Vs

**1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
PUDUKOTTAI DISTRICT.
CRIME NO.16/2023.**

**...RESPONDENT/COMPLAINANT
IN ALL PETITIONS**

**2 MUTHU
S/O.MANICKAM,
D.NO.163, MINNATHUR,
KULATHUR TALUK,
PUDUKOTTAI DISTRICT.**



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3 SUBRAMANI
S/O.SATHASIVAM,
MOSAKUDI,
NANGSUR POST,
KULATHUR TALUK,
PUDUKOTTAI.

...RESPONDENTS 2 & 3
IN CRL OP(MD)No. 23425 & 23353 of 2023

(*)(R2 AND R3 ARE IMPEADED AS PER
ORDER OF THE COURT DT. 25.03.2024 IN
CRL.MP(MD).1779 & 1769/2024 in CRL OP(MD)
No. 23353 & 23425 /2023 BY MDIJ)

For Petitioner : M/S.GAYATHRI.J Advocate
In CRL OP(MD)No. 23353 of 2023
MR.M.RAJARAJAN, Advocate
IN CRL OP(MD)No. 23425 of 2023
MR.C.SENTHIL MURUGAN, Advocate
IN CRL OP(MD)No. 3957 of 2024

For Respondent : MR.P.KOTTAICHAMY,
Govt. Advocate (Crl. Side) IN ALL PETITIONS

For Intervenor: MR.A.PURANTHARADHAS, Advocate
in CRL OP(MD)Nos.23353 & 23425 of 2023

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

COMMON PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.16/2023 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 120(B), 419, 420, 465, 468 and 471 IPC, in Crime
<https://www.mhc.tn.gov.in/juris>



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No.16 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and other accused persons joined together and created forged sale deed and the document in respect of the properties belonging to the defacto complainant and alienated the properties, by impersonating the defacto complainant. Hence, the complaint.

3. When the matters are taken up for hearing, the learned counsel appearing for the petitioners in all the petitions and the learned counsel appearing for the newly impleaded respondent Nos.2 and 3 in CrI.O.P(MD).Nos.23353 and 23425 of 2023 would submit that the forged sale deed and the documents created by the accused persons were cancelled.

4. Heard the learned Government Advocate (Crl.side) appearing for the respondent Police.

5. Considering the facts and circumstances of the case and the fact that the forged sale deed and the documents created by the accused persons were cancelled, this Court is inclined to grant anticipatory bail to the petitioners.

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, Pudukkottai, on condition that the petitioners shall



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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;

(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



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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;

(h) the respondent Police are directed to hear the petitioners and the defacto complainant with regard to cancellation of forged sale deed and the documents and if the forged sale deed and the documents were cancelled by the accused persons, the respondent Police are directed to refer the case as action dropped, after obtaining compromise memo from the parties.

sd/-

25/03/2024

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/04/2024

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
PUDUKKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, PUDUKKOTTAI DISTRICT.



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

+2 CC to M/s.A.PURANTHARADHAS, Advocate (SR-3649[I] & 3650(I) dated 25/03/2024)

+1 CC to M/s.J.GAYATHRI, Advocate (SR-3797[I] dated 27/03/2024)

+1 CC to M/s. M.RAJARAJAN Advocate (SR-3798[I] dated 27/03/2024)

+1 CC to M/s.C.SENTHILMURUGAN, Advocate (SR-3640[I] dated 25/03/2024)

ORDER

IN

CRL.O.P(MD).Nos.23353 and 23425 of 2023

and 3957 of 2024

Date :25/03/2024

PKP/VR/SAR /12.04.2024/ 6P/10 C

Madurai Bench of Madras High Court is issuing certified
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