



CRL OP(MD) No.23556 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.23556 of 2023

DEVI BALA

... Petitioner / Accused No.8

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
RAMANADU DISTRICT.
(CRIME NO.25/2019)

... Respondent / Complainant

For Petitioner : M/s.G.Preethivee Raj, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (CrI. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.25/2019 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/A8, who apprehends arrest at the hands of the respondent
police for the alleged offence punishable under Sections 419, 465, 468, 471, 420 r/w



120B IPC, in Crime No.25 of 2019, seeks anticipatory bail.

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2.The case of the prosecution is that the disputed land is belongs to the defacto complainant and her father. When they are alive, A5 executed sale deed in favour of A1 to A3 by using fabricated death certificate as well as legal heir certificate. The petitioner herein is a document writer.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is only a document writer and she was not aware about the fabricated document. That apart, this Court already granted anticipatory bail to the co-accused in Crl.O.P.(MD)No.6040 of 2020 dated 07.10.2020. Therefore, he prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner and other accused persons colluded with each other and cheated the defacto complainant and her father, in order to grab their property. Therefore, he opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that this Court already granted anticipatory bail to the co-accused, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of



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arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate 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 and on further condition that:

(a)if the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(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



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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;

(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.

GNS

To

- 1.The Judicial Magistrate,
Ramanathapuram.
- 2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
District Crime Branch,
Ramanadu District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.GUBANTHIRAN, Advocate (SR-291[I] dated 08/01/2024)

ORDER
IN
CRL OP(MD) No.23556 of 2023
Date :05/01/2024

ED/ JGB /SAR- (09/01/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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