



CRL OP(MD) No.23600 of 2023

WEB COPY

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

Wednesday, the Thirty First day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23600 of 2023

V.MEENAKSHI

... Petitioner / Accused No.1

Vs

1 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
SIVAGANGAI.
(CRIME NO.21 OF 2023.)

... Respondent / Complainant

2 J.MATHUKANNAN

... Petitioner / Intervener
in CRL MP(MD) No.1026 of 2024

For Petitioner : M/s.B.Arvind Srevatsa, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. side)

For Intervener : Mr.J.John, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.21/2023 ON THE FILE OF
THE RESPONDENT POLICE.



CRL OP(MD) No.23600 of 2023

ORDER: The Court Made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 467, 468, 471 and 109 of Indian Penal Code, in Crime No.21 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had purchased the property from one Pichaiyappan @ Pichai in the year 1993 and by creating a forged document, the petitioner has possessed the said land. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that settlement talk is going on between the petitioner and the petitioner is ready to handed over the possession to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner is the subsequent purchaser of the said land.

5. The learned counsel for the intervenor strongly opposed to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the petitioner is ready to cancel the document and he is also ready to handed over



CRL OP(MD) No.23600 of 2023

the possession to the defacto complainant, I am inclined to grant anticipatory bail to the petitioner.

WEB COPY

7. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on 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-II, Sivagangai, 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) As per the undertaking given by the petitioner, the petitioner is directed to cancel the alleged forged document executed in favour of him and also to reconvey the same in the name of the defacto complainant within a period of four



CRL OP(MD) No.23600 of 2023

weeks from the date of receipt of a copy of this order.

WEB COPY

(d) the petitioner 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.

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;

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

sd/-
31/01/2024

/ TRUE COPY /

/02/2024

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

TTA



CRL OP(MD) No.23600 of 2023

To

WEB COPY

1.The Judicial Magistrate No.II,
Sivagangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
District Crime Branch,
Sivagangai.

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

+1 CC to M/s.J.JOHN, Advocate (SR-1240[I] dated 31/01/2024)

ORDER
IN

CRL OP(MD) No.23600 of 2023

Date :31/01/2024

ED/ DD /SAR- (14/02/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023