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CRL OP(MD). No.22546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22546 of 2024

D.Antony Basker,
S/o.Durairaj,
1/27,Anthonyiar Kovil Street, Aayankulam,
Konganthanparai,
Thirunelveli District.

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep by Inspector of Police,
District Crime Branch Police Station,
Tirunelveli District.
Crime No.15 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.Jai Surya Prakash.S,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime no.15 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 419, 465, 468, 471, 420 and 109 of IPC in Crime No.15 of 2024 on the file of the respondent police, seeks



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anticipatory bail.

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2. The case of the prosecution is that there was a dispute between the defacto complainant and Accused No.1, who is the wife of the defacto complainant. It is alleged that Accused No.1 created a forged document dated 03.11.2021 as if her husband executed a settlement deed in her favour. Thereafter, Accused No.1 sold the property in favour of petitioner (Accused No.4) on 30.11.2021.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that this petitioner was only a subsequent purchaser of the property and the actual dispute is only between the defacto complainant and Accused No.1, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5. Accordingly, 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 No.I, Tirunelveli, 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



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the satisfaction of the said Magistrate, on further condition that:

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[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent Police as and when required for interrogation;

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

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

[e] 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;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
19/12/2024

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TSG

TO

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1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.JAI SURYA PRAKASH, Advocate (SR-15673[I] dated 19/12/2024)

ORDER IN
CRL OP(MD) No.22546 of 2024
Date :19/12/2024

SA/SKN/SAR. /06.01.2025/4P/6C

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