



CRL OP(MD). No.22922 of 2024

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

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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P Radhakrishnan

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Sub Inspector of Police,
District Crime Branch,
Sivagangai District.
(Cr.No.20/2024.)

... Respondent/Complainant

For Petitioner : Mr.J Jeyakumaran, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.20 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the



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respondent for the offences punishable under sections 465, 471 IPC in Crime No.20 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner purchased the property from the defacto complainant's aunt namely Pappa. It is alleged by the defacto complainant that her grand parents had two legal heirs and she is the daughter of one of the legal heirs namely, Vellaichamy. The other legal heir namely Pappa sold the undivided share to the petitioner by forging the death certificate and legal heir certificate of the defacto complainant's grandfather. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. In respect of the death certificate and legal heir certificate of Kannappan, the petitioner has no role and the petitioner is a bonafide purchaser.

4. The learned Government Advocate (Crl. Side) submits that by forging the death certificate and legal heir certificate, the property was sold to the petitioner and the petitioner is having no previous case. However, he strongly objected for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of



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offences charged against the petitioner, considering the fact the petitioner is only a purchaser of the property and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate Court No.II, Sivagangai, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m for a period of thirty days and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 B.N.S.

sd/-
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/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN/CM

To

1.The Judicial Magistrate No.II,
Sivagangai.

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

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

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

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-15893[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.22922 of 2024
Date :27/12/2024



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ED/ SKN /SAR- (31/12/2024) 5P / 6C

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