



CRL OP(MD). No.22972 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

CRL OP(MD). No.22972 of 2024

Boomyee,

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
City Crime Branch,
Trichy City.
Crime No.21/2024.

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran,
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.21/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 417, 420, 465, 468, 471, 120(B) of



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I.P.C., in Crime No. 21 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the accused persons by way of forged documents, trespassed into the property of the defacto complainant and are disturbing the peaceful possession of the property. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offences as alleged by the prosecution and a false case has been foisted against him. Hence, he prayed this Court to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor(Cri.Side) appearing for the respondent would submit that the accused persons by way of forged documents, trespassed into the property of the defacto complainant and are disturbing the peaceful possession of the property. He would also concede that no previous case is pending against the petitioner. However, investigation is at initial stage. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Heard. Perused the materials available on record including the First Information Report.

6. Considering the rival submissions on either side, taking into consideration of the facts and circumstances of the case and also the fact that the petitioner is a purchaser of the subject property and there is no previous case is pending against the petitioner and also considering the fact that for the alleged occurrence that had taken place in the year 2019 to 2023, the case came to be registered in the year 2024, this court is inclined to grant anticipatory bail to the petitioner , with certain conditions:

7. Accordingly, the petitioner 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 on which the order copy made ready, before the learned judicial Magistrate No.VI, Trichy 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
27/12/2024

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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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TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
TRICHY.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-15921[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.22972 of 2024
Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/6C

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