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Crl.O.P.No.579 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.579 of 2025

Sasikala

.... Petitioner

Vs

The State rep. by
The Inspector of Police,
Thirunallur Police Station,
Karaikal
Cr.No.92 of 2024

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No. 92 of 2024 on the file of the Inspector of Police, Thirunallur Police Station, Karaikal.

For Petitioner : Mr.Anbarasan

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.92 of 2024 registered for the offences punishable under Sections 468, 471, 420 of IPC r/w 34 IPC, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel appearing for the petitioner submitted that the petitioner is a bonafide purchaser believing the other accused. He further submits that the petitioner was served with a notice under Section 35(3) of BNS and has co-operated with the respondent by appearing for the enquiry and he has also handing over the original documents. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that A1 and A2 by colluding together, grabbed the land, belonging to the Temple, by fraudulent means. He would submit that the petitioner is purchaser of the said property, subsequently, converted the same into housing plots and sold the same to third parties. He would submit that notice under Section 35(3) of BNS was issued to the petitioner and he is yet to appear for enquiry.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the



materials available on record.

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5. Considering the facts and circumstances of the case as well as the submissions made by the learned counsel for the petitioner and though the petitioner claims to be a bonafide purchaser, she has agreed to cancel the document, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail in the event of 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-II, Karaikal**, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 said Magistrate, on further condition that:

[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 daily at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders ;

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



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[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 269 of BNS.

20.01.2025

Index : Yes/No

Internet : Yes/No

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To

1.The Inspector of Police,
Thirunallur Police Station,
Karaikal

2.The Public Prosecutor (Pondy),
High Court, Madras.



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