



CRL O.P. No.3463 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3463 of 2025

K. Sekar S/o. Krishnan

.... Petitioner / A3

Vs

State rep. by:-

The Inspector Of Police,
Thirukovilur Police Station,
Kallakurichi District.
[Cr. No.357 of 2023]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.357 of 2023 on the file of the respondent police.

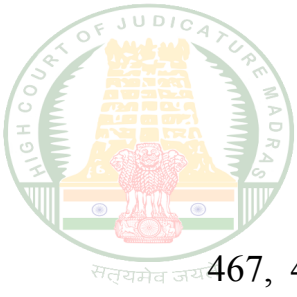
For Petitioner : Mr.Balachandran.T.

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the offence punishable under Sections 423, 465,

1/6



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467, 468 of IPC read with Section 82-A of Registration Act 1908 in connection with the case in Crime No.357 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 had executed a document making it to appear that it was executed by the defacto complainant's husband by making use of similarity in the name and sold the property to A3/petitioner on 22.03.2020.

3. Learned counsel for the petitioner would contend that the allegations are false; that there is a civil dispute and the petitioner has also filed a civil Suit claiming ownership and the said Suit is pending; that in any case, since he is the bonafide purchaser and the case is borne out by records, custodial interrogation is not required for the purpose of investigation and hence prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and submitted that there are 5 previous cases



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registered under the Prohibition Act and one case filed for the offences 115(2), 118(1), 191(3), 296(b), 303(2), 324(4), 329(4), 351(3) and 74 B.N.S. Act and that he is on bail, in all those cases.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the fact that the petitioner is a purchaser, he is on bail in all other previous cases, the case is borne out of records, civil suit is pending between the parties and in any case, since the custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the learned



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Judicial Magistrate, Thirukovilur, Kallakurichi District on condition that the petitioners 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 conditions that:

[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 everyday 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



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

17.02.2025

mjs

To

- 1.The Judicial Magistrate, Thirukovilur, Kallakurichi District.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Thirukovilur Police Station, Kallakurichi District.

SUNDER MOHAN. J.,

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