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Crl O.P.No.6541 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 6541 of 2025

N.M.Mohammad Siddiq

Petitioner

Vs

The State Rep by,
The Inspector of Police,
Koothanallur Police Station,
Tiruvarur
(Crime No.58 of 2024)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on
anticipatory bail in the event of arrest in Crime No. 58 of 2024 pending
on the file of the respondent police.

For petitioner:

Mr.K M Subrahmaniam

For Respondent:

Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 419, 465,
467, 468, 471 and 120B of the IPC in Crime No.58 of 2024, on the file of
the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the de facto complainant approached the petitioner in the year 2022 for obtaining patta; that the de facto complainant handed over a copy of the sale agreement to the petitioner, who, in turn, handed over the same to the first and second accused by receiving consideration; that by using the said copy of the sale agreement, the first and second had created a forged sale agreement said to be executed by the de facto complainant.

3. The learned counsel for the petitioner submitted that the allegations against the petitioner are false; that there are civil disputes between the de facto complainant and the first and second accused; that the instant complaint was lodged by giving criminal colour to a civil dispute; that the petitioner has nothing to do with the alleged offence and in any case, custodial interrogation is not required and sought anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the alleged occurrence took place in the year 2022.



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5. Considering the nature of allegations, that the alleged occurrence took place in the year 2022, that the allegations are borne out by records and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6. 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 District Munsif Court Cum Judicial Magistrate Court, Koothanallur**, 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 said Magistrate, 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.



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[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.

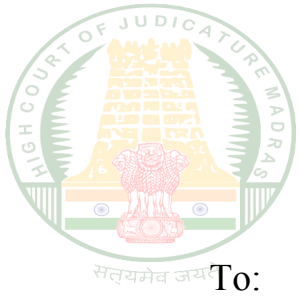
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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 269 of B.N.S.

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To:

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1. The Inspector of Police,
Koothanallur Police Station,
Tiruvarur.
2. The District Munsif Court Cum Judicial Magistrate Court,
Koothanallur.
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

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