



Crl.O.P.No.13674 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13674 of 2025

Sakthivel

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
(Crime No.437 of 2024).

... Respondent

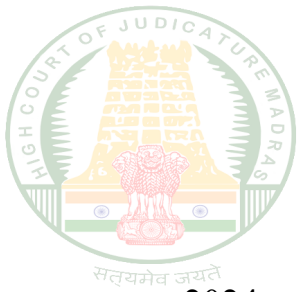
PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail, in connection with Crime No.437 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.Prabhakaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.03.2025 for the offences punishable under Sections 419, 423, 465, 468 & 471 of IPC and Section 82(d) of the Registration Act in Crime No.437 of



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2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused, by fabrication and manipulation of documents, public records including the Aadhar card of the de facto complainant and impersonation, grabbed the properties belonging to the de facto complainant. Hence the case.

3. Learned Counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, who is running a DTP center in the name of Isha Net Center at Arahandanallur, was implicated in this case only based on the confession statement obtained from co-accused. He further submitted that the entire case is borne out by documents and that some of the co-accused have been enlarged on bail as well as anticipatory bail by this Court. He also submitted that the main accused Rajendran in this case has already been enlarged on bail and further submitted that the petitioner is in custody for more than 45 days, hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of bail to the petitioner submitted that the accused conspired together, impersonated and fabricated the documents including the Aadhar card of the de facto complainant and grabbed his property. He further submitted that the allegation against the petitioner is that he had created the forged documents for impersonating the de facto complainant and one of the accused Rajendran is the king pin, who was behind this offence. He further submitted that the investigation in this case is still pending and the deeds executed based on the forged documents were cancelled. He also submitted that several previous cases are pending against the petitioner.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the fact that the co-accused have been enlarged on bail and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate, Thirukoilur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of thirty days and thereafter, as and when required for further interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned



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conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283/;**

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

15.05.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate,
Thirukoilur.
2. The Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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