



CRL OP NOs.31718 & 31390 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

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CRL OP NOs.31718 & 31390 of 2024

Crl.O.P.No.31718 of 2024

1.M.Kolanji
2.Vanitha

petitioner(s)

Vs

The Inspector Of Police,
Sankarapuram Police Station,
Kallakurichi District.

Respondent(s)

Crl.O.P.No.31390 of 2024

Gunasekaran

petitioner(s)

Vs

The Inspector Of Police,
Sankarapuram Police Station,
Kallakurichi District.

Respondent(s)

For petitioner(s) in Crl.O.P.No.31718 of 2024:

G.Arunsekaram

For petitioner(s) in Crl.O.P.No.31390 of 2024:

Kannadasan E

For Respondent(s) in both cases:

<https://www.mhc.tn.gov.in/judis>

S.Santhosh
Government Advocate (criminal Side).



ORDER

Apprehending arrest in connection with Crime No.78 of 2024, registered for the offences punishable under Sections 423, 465, 467, 468 of IPC r/w under Section 82-A, Registration Act 1908, the present petitions have been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in this case, learned counsel for the petitioners seeks indulgence of this court. He would submit that they are innocent and no way connected with this case. He would further submit that they are ready to abide by any stringent condition that may be imposed by this Court.

3.The learned counsel for the petitioner in CrI.O.P.No.31390 of 2024 would submit that the petitioner is working as an Assistant in the office of the Sub Registrar, Sankarapuram. The petitioners in CrI.OP.No.31718 of 2024 are document writer and typist. He would submit that the petitioners, are employed for the work of assisting in the registration of the documents. The petitioners are not the persons who had fabricated of the documents nor the beneficiaries of the documents. He would further submit that the petitioner in CrI.O.P.No.31390 of 2024 was allowed to retire on 30.06.2023 on his superannuation and the

Government found that there is no allegation against the petitioner and allowed him to retire and would seek for anticipatory bail to the petitioners.

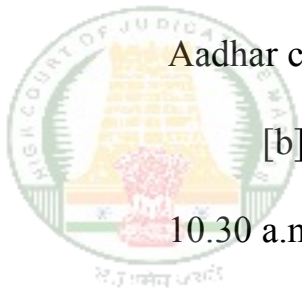


4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bails, is that the petitioners along with other accused by fabrication of documents and impersonation transferred the property belonging to the defacto complainant and grabbed his property.

5.Having heard the learned counsel for the petitioners, and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sankarapuram, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his



Aadhar card or Bank pass Book to ensure their identity;



[b] the petitioners shall report before the respondent police on every day at 10.30 a.m., until further orders;

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

[d] the petitioners 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 petitioners 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 of B.N.S.

20-01-2025

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To

1.The Judicial Magistrate, Sankarapuram.

2.The Inspector of Police
Sankarapuram Police Station
Kallakurichi District.

3.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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