



Crl.OP.No.32124 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.32124 of 2024

A.Theerthagiri

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
District Crime Branch-II,
O/o. District Police Office,
Thiruvannamalai District.
(Crime No.16 of 2015)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.16 of 2015 on the file of the respondent
Police.

For Petitioner : M/s.D.Nandhagopal

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Section 120B, 419, 420, 465, 468, 471, 506(1) of IPC in Crime No.16 of 2015, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the original owner of the property situated at Porasapattu Village; that the petitioner along with other accused had impersonated the original owner and created forged documents for grabbing the land belonging to the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false; that the similarly placed co-accused was granted anticipatory bail by this Court in Crl.O.P.No.4971 of 2024; and that in any case, custodial interrogation of the petitioner is not required and hence, sought for anticipatory bail to the petitioner.

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 2015 and that the investigation has



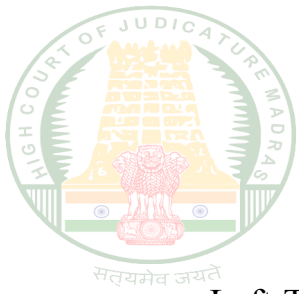
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been completed.

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5. Considering the aforesaid facts, the fact that the similarly placed co-accused was granted anticipatory bail by this Court in Crl.O.P.No.4971 of 2024 dated 17.04.2024, the alleged occurrence took place in the year 2015 and the petitioner has not been arrested so far, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 on which the order copy is made ready, before the **learned Judicial Magistrate-I, Tiruvannamalai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 condition that:



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[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 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 BNS.

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Index : Yes / No

Internet : Yes / No

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To

- 1.The Inspector of Police,
District Crime Branch-II,
O/o. District Police Office,
Thiruvannamalai District.
2. learned Judicial Magistrate-I, Tiruvannamalai.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN , J.

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