



CRL OP(MD). No.134 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Govindaraj
2.Ramasamy
3.Ganesan
4.Palanisamy

... Petitioners / Accused No.1 to 4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
District Crime Branch,
Karur District.
(Crime No.13 of 2024)

... Respondent / Complainant

For Petitioners : Mr.M.Suresh, Advocate

For Respondent : Mr.a.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 61(2), 319(2), 336(2), 336(3) and 340(2) of BNS 2023, in Crime No. 13 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons are said to have created a forged/fabricated document and were claiming right over the property belonging to the defacto complainant. There are totally six accused persons in this case and the petitioners have been arrayed as A1 to A4.

3. The specific case of the petitioners is that the property admittedly stood in the name of one Muthusamy. According to the petitioners, the name of the defacto complainant's grandfather was Muthusamy and that Muthusamy was the son of Ramasamy. The further case of the petitioners is that the actual owner Muthusamy is the son of Krishna Gownder and it was purchased by Muthusamy through sale-deed dated 03.08.1968 and the second petitioner is the son of the said Muthusamy. In view of the same, the second petitioner executed a sale-deed in favour of the first petitioner on 12.08.2024 and the petitioners 3 and 4 stood as witnesses to the said sale-deed. The first petitioner claims to be bona fide purchaser of the property.

4. Heard the learned counsel on either side and perused the material records of



the case.

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5. Taking into consideration the facts and circumstances of the case and considering the rival claims made by both sides and also considering the fact that that the entire case is borne out by records, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Kulithalai, Karur 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 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 their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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



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investigation or trial.

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[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 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 BNS, 2023.

sd/-
07/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN

To

1.The Judicial Magistrate No.I,
Kulithalai, Karur District.

2.Do through the Chief Judicial Magistrate,
Karur District.



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3.The Inspector of Police,
District Crime Branch,
Karur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date :07/01/2025

ED/SKN /SAR- (17/01/2025) 5P / 5C

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