



CRL OP(MD). No.1032 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1032 of 2025

P. Senthilkumar

... Petitioner/ Accused 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
District Crime Branch,
Madurai.

Crime No. 09/2020.

... Respondent/Complainant

For Petitioner : Mr.Ramsundar Vijayraj, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 09/2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120(b), 463, 465, 467, 468, 471 and 420 of IPC in



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Crime No.09 of 2020 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that there was a dispute between the parties pertaining to a property. It is alleged that the petitioner had created a forged document in connivance with the other accused persons and thereby knocked off the property belonging to the defacto complainant.

3.The petitioner had filed the earlier anticipatory bail petition in Crl.O.P(MD) No.5132 of 2020. The anticipatory bail petition was ordered on 24.03.2020. The petitioner did not take any steps to execute the sureties and the time expired. Subsequently, the petitioner filed a petition in Crl.M.P(MD)No.4291 of 2023 seeking for extension of time to comply with the condition. This Court dismissed the said petition by order dated 19.12.2024.

4.The learned Counsel for the petitioner submitted that there is a subsequent development in this case whereby, the parties were able to reach a settlement in O.S.No.145 of 2019 that was pending before the District Munsif Court, Madurai. The decree was also passed on 08.06.2022 by recording the compromise. In fact, the defacto complainant had filed a petition for cancellation of bail and the same was closed considering the settlement that was reached between the parties. This order pertains to A5. Insofar as the petitioner is concerned, yet another petition for cancellation of bail was filed by the defacto complainant. The petitioner had also



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filed a petition for extension of time and since the petition for extension of time was dismissed, the petition filed for cancellation of bail was also closed.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

6. Taking into consideration the facts and circumstances of the case and considering the subsequent developments that have been taken place in this case, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory 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 Chief Judicial Magistrate No.I, Madurai, 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, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
22/01/2025

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

LR
TO
1 THE CHIEF JUDICIAL MAGISTRATE NO.I,
MADURAI.



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2 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-669[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) No.1032 of 2025
Date :22/01/2025

SA/SKN/SAR. /23.01.2025/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.