



CRL OP(MD). No.1168 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Mohamed Malik

2.Mundasamy

... Petitioners/ Accused 2 & 6

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
CCB, Tirunelveli,
Tirunelveli District.
(Crime No.18 of 2024)

... Respondent/Complainant

For Petitioners: Mr.R.J.Karthick,
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. 18 of 2024 on the file of the respondent police.

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



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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 319, 336, 340 and 61(2) of BNS, 2023 (Corresponding provision of IPC 416, 468, 471 and 120(b) non-bailable), in Crime No.18 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant had purchased the property in the year 2008. However, the accused persons created a forged document as if the property was conveyed to them through a registered sale deed in the year 1996. There are totally 9 accused persons in this case and the petitioners have been arrayed as A2 and A6.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that there is a property dispute involved in this case and the entire case is borne out by document and also considering the fact that A9 was already granted anticipatory bail by this Court in Crl.OP(MD).No.716 of 2025 by an



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order dated 20.01.2025, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 Court No.I, Tirunelveli, 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 appear before the respondent Police as and when required for interrogation.



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[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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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/-
22/01/2025

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/02/2025

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

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TO
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1. THE JUDICIAL MAGISTRATE COURT NO.I, TIRUNELVELI,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
CCB, TIRUNELVELI,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1168 of 2025
Date :22/01/2025

RK/SKN (13/02/2025) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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