



CRL OP(MD)No.8435 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8435 of 2025

D.Elezebeth

... Petitioner/ Accused No.4

Vs

The State represented by
The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(Crime No.254 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.R.Raghaev

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.254 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 120B, 420, 465, 468 and 471 of IPC in Crime No.254 of 2023 , on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 12.01.2011, the defacto complainant purchased a property in S.No.739/1A in Thiruthangal Village, Virudhunagar District, to an extent of 60 cents from A1, except 6 cents below the property vide registered sale deed No.16/2011 registered in the office of the Sub Registrar, Thiruthangal. On 01.07.2023, through her sister, the defacto complainant came to know that A2 had fenced the said property. When the defacto complainant asked A.2 about the same, A2 told that it was his property and asked the defacto complainant to refer the document. When the defacto complainant verified his document, he came to know that 6 cents of land belonging to him was also mentioned in the A2's purchase document No.2441/2012 and the same is drafted by the document writer/petitioner / A4. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution and that she has been falsely implicated in this case. He therefore prays for grant of



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anticipatory bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) would submit that A.1 to A.3 in this case have already been enlarged on Anticipatory Bail by this Court.

5.Considering the facts and circumstance of the case and also considering the fact that already A1 to A3 in this case have already been enlarged on Anticipatory Bail by this Court in CrI.O.P(MD)Nos.15274 and 15278 of 2023 vide order dated 09.10.2023, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[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.



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[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 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/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MGA
TO

1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI, VIRUDHUNAGAR DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

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Date :08/05/2025

SS/SAR- /26/05/2025/ 5P/5C

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