

CRL OP(MD). Nos.21467 & 21482 of 2024

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

Date : 06/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL OP(MD). Nos.21467 & 21482 of 2024

Ramalakshmi,

... Petitioner/ Accused Unkown
in Crime No.21467 of 2024

Ramasamy,

... Petitioner/ Accused Unkown
in Crime No.21482 of 2024

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
City Crime Branch,
Madurai, Madurai District.
Crime No. 22 of 2023.

... Respondent/Complainant
in both petitions

In Both Petitions

For Petitioners : Mr.Deepak C,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

COMMON PRAYER :-

For Anticipatory Bail in Crime No. 22 of 2023 on the file of the respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused, who apprehend arrest at the hands of the

respondent Police for the offences under Sections 416, 465, 467, 468 and 471 of IPC in



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Crime No.22 of 2023 on the file of the respondent Police, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is the owner of the property and without his knowledge, Accused No.8, who is the mother of the defacto complainant executed a power of attorney in favour of Accused No.6. Based on this power of attorney document, Accused No.6 received all the original documents and the same was handed over to Accused No.1. Accused No.1 taking advantage of the same, executed a sale deed in favour of Accused No.3, who is the mother of Accused No.1. Accused No.3 in-turn executed a sale deed in favour of Accused No.4. Accused No.7 has been roped in as accused, since he is the husband of Accused No.6.

3. When the matter came up for hearing on 09.12.2024, this Court passed the following order:

In CrI.O.P.(MD).No.21467 of 2024

“The petitioner has filed this anticipatory bail petition on the ground that a summon has been issued by the Police for her appearance.

2. The learned Government Advocate (Criminal Side) submitted that only summon was issued to the petitioner to attend for the enquiry and the present anticipatory bail petition has been filed before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner is willing to attend the enquiry. But, however, this anticipatory bail petition was filed,



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since there is an apprehension of arrest.

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4. The petitioner shall appear before the respondent Police on 11.12.2024 at 11.30 a.m. The respondent Police shall record the statement of the petitioner and as and when required to attend for the enquiry, the petitioner will attend the enquiry.

5. Registry is directed to post this case on 06.01.2025. Till then, the respondent Police will not resort to any arrest."

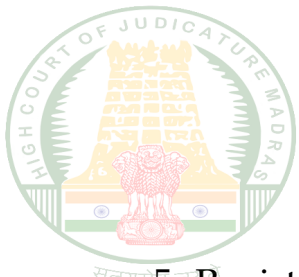
In CrI.O.P.(MD).No.21482 of 2024

"The petitioner has filed this anticipatory bail petition on the ground that a summon has been issued by the Police for his appearance.

2. The learned Government Advocate (Criminal Side) submitted that only summon was issued to the petitioner to attend for the enquiry and the present anticipatory bail petition has been filed before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner is willing to attend the enquiry. But, however, this anticipatory bail petition was filed, since there is an apprehension of arrest.

4. The petitioner shall appear before the respondent Police on 11.12.2024 at 11.30 a.m. The respondent Police shall record the statement of the petitioner and as and when required to attend for the enquiry, the petitioner will attend the enquiry.



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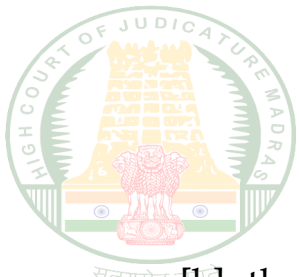
5. Registry is directed to post this case on 06.01.2025. Till then, the respondent Police will not resort to any arrest."

4. When the matter was taken up for hearing today, it was brought to the notice of this Court that the petitioners attended enquiry before the respondent Police and their statements were also recorded.

5. Taking into consideration the facts and circumstances of the case and the role that has been assigned to the petitioners and also considering the fact that the petitioners have attended enquiry before the respondent Police, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.



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[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 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 petitioners 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;

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

sd/-
06/01/2025

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

TSG

TO

1. THE JUDICIAL MAGISTRATE NO.I, MADURAI.

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



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2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
MADURAI, MADURAI DISTRICT.

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

+1 CC to M/s.C.DEEPAK, Advocate (SR-108[I] dated 06/01/2025)
+1 CC to M/s.C.DEEPAK, Advocate (SR-109[I] dated 06/01/2025)

ORDER
IN
CRL OP(MD). Nos.21467 & 21482 of 2024
Date :06/01/2025

PSP/ SKN /SAR /21.01.2025/ 6P/ 7C

Madurai Bench of Madras High Court is issuing certified
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