

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

Dated this the 13th day of May 2024

Cr1.M.P.No.8/2024

CNR.No.TNTH00-000008-2024

Andisamy

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

DCB P.S. in

Cr.No.14/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. M. Jayakumar, Learned Counsel for the petitioner and of Thiru. T. Sukumar, Learned counsel for the Intervener/defacto complainant and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioner/accused U/s.438 of Code of Criminal Procedure seeking anticipatory bail.

2. The Nitty-Gritty of the prosecution case is as follows:

The petitioner and co-accused fabricated public document and thereby executed a sham sale deed among themselves. In respect of the property owned by the complainant. On questioning the same, they abused and intimidated the complainant with dire consequences. Therefore case registered against him U/s.412, 468, 471, 420, 120B, 506(i) and 264(b) of IPC.

3. Heard the Learned Counsel for the petitioner and the Learned Public Prosecutor for state and the Learned counsel for the Intervener/defacto complainant.

4. The points for determination is the can anticipatory bail be granted to the petitioner?

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Answer :

5. The FIR, objection filed by the prosecution and intervening application are perused. The FIR would show that the petitioner and co-accused fabricated public document and thereby cheated the complainant by fabricating sale deed in their favour. As submitted by the prosecution, as many five criminal cases are pending against the petitioner. Further the accused No.1 to 4 are at large. So having considered the magnanimity of the crime and the co-accused are still at large, I am not inclined to release the petitioner on bail.

In fine, the petition is dismissed.

Pronounced by me in open Court on this the 13th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Theni.