

In the Court of Judicial Magistrate Court No.1, Madurai.

Cr.M.P.No.1900/2020

Present: Thiru. R. Karthikeyan. B.A.B.L.,

Judicial Magistrate No.1(FAC), Madurai.

Dated this the 10th day of December 2020

Prakash, S/o.Veerapathiran.

-

Petitioner/Accused

-Vs-

CCB., P.S,

Crime No.35/2020

U/Sec.120(B), 465, 466, 467, 468, 471, 419, 420 IPC

-

Respondent

Bail Order

Heard, Both sides. On perusal of records the petitioner/Accused is alleged to committed an offence U/s. 120(B), 465, 466, 467, 468, 471, 419, 420 IPC and same the Petitioner/Accused is remanded to Judicial custody from 04.12.2020. The petitioner counsel represented that the Petitioner/Accused is innocent and he has not committed any offences as alleged in F.I.R. and the Petitioner/Accused side stated that, the Petitioner has purchased the piece of land having an extend of 10 cents from one Ammachi through her General Power of Attorney Krishnamoorthy and subsequently he was sold the said property to Mr.Mahalingam, who is defacto complainant herein and he has no way connected in the execution of alleged forged release deed. Now the Petitioner settled the case out of Court with defacto complainant and the Petitioner side produced the affidavit executed by the Defacto-Complainant. Further stated that A4, A2 were already released on bail. Further the Petitioner side stated that, the Petitioner was released on Anticipatory Bail in the previous case in Cr.No.21/2019 which was registered based on the complaint given by the Original land owners for alleged forged release deed. Petitioner/Accused is ready to furnish sufficient sureties for his release and for future attendance. Hence, the Petitioner side pray for bail.

In turn reply received from Respondent Police and learned APP stated that, this Petitioner actively participated in the execution of alleged forged release deed and the same was also executed in favour of the Petitioner and two other accused, who are A1 and A3. Hence the submission of the Petitioners not acceptable. Further the alleged offences are non compoundable in nature. Hence the alleged settlement stated by the Petitioner is not acceptable. Further after the anticipatory bail in Cr.No.21/2019, this Petitioner and others

have cancelled the alleged release deed and tampered the evidences. Hence, pray for dismissal.

Considering the facts and circumstances of this case, nature of the offence, gravity of the overtact against this Petitioner and the stage of investigation and the fact that, the alleged forged release deed executed in favour of Petitioners and 2 others, and the settlement arrived by the Petitioner with the defacto complainant cannot be a matter for consideration, since the alleged offences are non compoundable in nature. Hence this court is not inclined to grant Bail to the petitioner/Accused. Accordingly, this bail Petition is dismissed.

(Sd.)R.Karthikeyan,(10.12.2020)
Judicial Magistrate No.I(FAC),
Madurai.