



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

Wednesday, the Twenty Third day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16132 of 2015

S.MURUGAN

..PETITIONER/ACCUSED A2

Vs.

STATE THROUGH
THE INSPECTOR OF POLICE
THIDEERNAGAR POLICE STATION,
MADURAI TOWN.
CR.NO.647 OF 2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 466, 468, 471 and 120(B) of I.P.C., and Section 12(1)(b) of Passport Act in Crime No.647 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, the first accused had submitted an application for issuance of passport along with the fake birth certificate issued by the second accused, the petitioner herein.

3. The learned counsel for the petitioner submitted that the petitioner was working as a Health Inspector in the Corporation of Madurai and the Corporation has employed four Data Entry Operators to issue a computerised birth certificate to the applicants in the year 1985 to 2013, based on the data entry made by them, the petitioner/A2 issued a birth certificate to the first accused in the year 2014. The learned counsel for the petitioner further submitted that normally, the petitioner issued about 800 to 1000 birth certificates daily to the applicants signing on behalf of the Commissioner of the Madurai Corporation and he could not verify each and every certificate.



4. It is further contended that the criminal case was registered against the data entry operators on the basis of the complaint given by the Commissioner of Corporation in Crime No.94 of 2013 and in the year 2013, it was found that 49 bogus certificates were issued and now they came to know about more than 200 false entries have been made by the accused.

5. The learned Government Advocate (Crl.side) submitted that the Commissioner, Madurai Corporation has sent a letter to the respondent police following the above facts.

6. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate No.V, Madurai and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 06.00 p.m. for a period of one week and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
23/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, MADURAI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
THIDEERNAGAR POLICE STATION, MADURAI TOWN.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.56346

Akm/28.09.2015 /2p-6c/

ORDER
IN
CRL OP (MD) No.16132 of 2015
Date :23/09/2015