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

Wednesday, the Eighteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23785 of 2014

1 K.R.ELANGOVAN ..1ST PETITIONER/ 2ND ACCUSED

2 C.GOMATHINAYAGAM ...2ND PETITIONER/ 1ST ACCUSED

Vs

1 THE STATE REP. BY THE INSPECTOR OF POLICE
PULIVALAM POLICE STATION
TIRUCHIRAPPALLI DISTRICT,
CR.NO.206/2014 ... RESPONDENT / COMPLAINANT(S)

For Petitioner : M/S. V.KARTHIRVELU SENIOR COUNSEL
FOR M/S.S.R.RAJAGOPAL Advocate

For Respondent : M/S.C.RAMESH Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 420, 294(b) and 506(i) of IPC in Crime No.206 of 2014 on the file of the respondent police, seek anticipatory bail.

2. On 29.01.2015, this Court had passed the following order:

"The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 420, 294(b) and 506(i) IPC in Crime No.206 of 2014 on the file of the respondent police, seek anticipatory bail.

2. On 21.01.2015, this Court had passed the following order:

"The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 465, 420, 294(b) and 506(i) IPC in Crime No.206 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners, the learned counsel for the Intervenor and the learned Additional Public Prosecutor appearing for the State.

3. The crux of the allegation in the FIR is that these petitioners have filed a particular document entitled "Minutes of the Meeting with Architech As 25.04.2011" as part of the typedset of documents in support of Crl.O.P.(MD) No.11519 of 2013. Crl.O.P.(MD) No.11519 of 2013 has been

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filed by one Ilangovan, who is one of the petitioners in this anticipatory bail petition and in Crl.O.P.(MD) No.11519 of 2013, the prayer is for anticipatory bail in Crime No. Not Known of 2013 on the file of the respondent police.

4. It is the case of the defacto complainant that he has not signed this document entitled "Minutes of the Meeting with Architech As 25.04.2011" and that his signature thereon has been forged. Hence, this present FIR has been registered.

5. The fact remains that in the records of this Court, this document is existing and that is the subject matter of the dispute. Under such circumstances, it will serve the interest of justice, if the petitioners are directed to submit the original of this document before this Court in a cover.

List this matter on 29.01.2015. Interim order already granted is extended till then."

3. Today, Mr.V.Kathirvelu, learned Senior Counsel for the learned counsel on record appearing for the petitioners has filed a memo enclosing the original "Minutes of the Meeting with Architech As 25.04.2011".

4. This Court perused the original "Minutes of the Meeting with Architech As 25.04.2011" and after taking photocopy of the same, the original "Minutes of the Meeting with Architech As 25.04.2011" is returned to Mr.V.Kathirvelu.

5. Under such circumstances, I am of the view that the petitioners could be enlarged on interim anticipatory bail upto 18.02.2015. Accordingly, the petitioners are ordered to be released on interim anticipatory bail till 18.02.2015 in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, on condition that each of 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.

6. The 1st petitioner / Elangovan shall report before the respondent as and when required for interrogation and 2nd petitioner / Gomathinayagam shall report before the respondent police daily at 10:30 a.m. for a period one week. The 2nd petitioner is directed to produce the original "Minutes of the Meeting with Architech As 25.04.2011" to Police and the Police shall recover the same under proper acknowledgment for the purpose of investigation.

List this matter on 18.02.2015 under the caption "For Orders" for reporting compliance."

3. Today, the respondent police is present and it is represented that in compliance with the orders of this Court, the original ""**Minutes of the Meeting with Architech As 25.04.2011**" has been handed over by the petitioners to the respondent police and the same has been taken under Athatchi on 14.02.2015.

4. It is represented by Mr.V.Kathirvelu, learned Senior Counsel for the petitioners that in compliance of the orders of this Court dated 29.01.2015, the bond has been executed to the satisfaction of the concerned Magistrate on 10.02.2015.

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5. Under such circumstances, the interim anticipatory bail granted to the petitioners is made absolute and the petitioners need not execute any fresh sureties, as the sureties already executed for the purpose of availing interim anticipatory bail shall hold good. The bond executed by the petitioners is extended till the disposal of the case. However, the petitioners have to appear before the respondent police as and when required for interrogation.

sd/-
18/02/2015

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Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THURAIYUR

2 Do Through THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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

4 THE INSPECTOR OF POLICE, PULIVALAM POLICE STATION
TIRUCHIRAPPALLI DISTRICT,

+1. CC to M/S.S.R.RAJAGOPAL Advocate SR.No.7600.

TS/24.02.2015/2P-6C

ORDER
IN
CRL OP(MD) No.23785 of 2014
Date :18/02/2015

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