



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

Thursday, the Fifteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.22652 of 2016

M.SASIKUMAR

... PETITIONER/ACCUSED NO.2

Vs

THE STATE OF TAMILNADU REPRESENTED BY
THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI
CRIME NO.1300 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.R.JEYAPALAM Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 406, 465, 468, 471 & 120(B) of IPC in Crime No.1300 of 2016 on the file of the respondent police, seeks anticipatory bail.

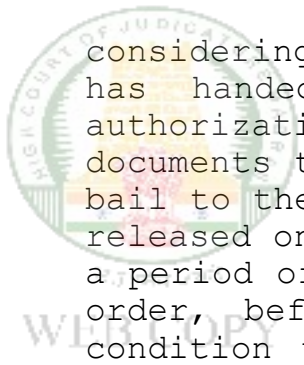
2.Heard the learned counsel on either side.

3. The learned counsel for the petitioner states that the husband of the defacto complainant namely Jeyaseelan had borrowed money from Sri Ram City Union Finance Limited for the purpose of purchasing a two wheeler and the entire loan amount was paid and the loan was foreclosed and one Sithick Raja, who is arrayed as the third accused in FIR, has received the original R.C. Book from the petitioner's company on production of authorization letter given by the husband of the defacto complainant namely Jeyaseelan and the petitioner also obtained the original Adhar Card of the said Jeyaseelan and also the copy of the driving license of Sithick Raja and the driving license was self attested by him. The petitioner herein is working as the Assistant Manager in Sriram Ram City Union Finance Company Limited.

4.The learned Government Advocate (Crl.side) contends that the said authorization letter is a forged one since the said Jeyaseelan died in the month of January 2016 but the authorization letter is dated 02.05.2016.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case and



considering the overt act attributed against the petitioner that he has handed over the original R.C.Book on the basis of the authorization letter given by the third accused along with other documents to prove his identity, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.5, Madurai, on condition that the petitioner shall execute a separate 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 and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial. [d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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]**.

sd/-
15/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.5,MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.R.JEYAPALAM Advocate SR.No.81193
CM
CSL/SKS-RR/SAR-I/20.12.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.22652 of 2016
Date :15/12/2016