



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

Wednesday, the Twelfth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.4322 of 2017

DAVID

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TUTICORIN,
(IN CRIME NO. 16/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S B.N.RAJAMOHAMED Advocate

For Respondent :M/S K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

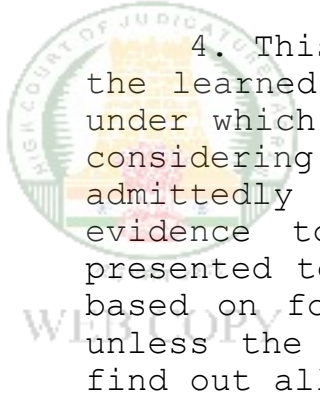
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 22.03.2017 for the alleged offences punishable under Sections 420, 465, 467, 468, 471 and 472 of I.P.C., in Crime No.16 of 2017 on the file of the respondent police seeks bail.

2. The allegation against the petitioner is that he being a broker in the Regional Transport Office, Tuticorin in connivance with the other accused by name, Sankar, has fabricated rubber stamp and created forged no objection certificate as if there is no criminal complaint against the applicants seeking Driving licence and Badges. Since there was spate of applications with NOC emanating from Tuticorin Police Station, the Regional Transport Officer at Tuticorin had developed suspicion over the forged certificates and has lodged a complaint to the police. As consequence, investigation has taken up and now it is found that this petitioner along with A2, who is the Sub Inspector of Police attached to Thattaparai Police Station had joined together and has created fake seals and fabricated certificates. The search of the residence of A2 has lead to recovery of several incriminating materials. So far, the police could recover 66 forged certificates prepared and presented by A1 and A2 to the RTO Office.

3. The learned counsel for the petitioner submitted that A1 was granted anticipatory bail by this Court and therefore parity should be shown to this petitioner also.



4. This Court is not convinced by the above said submission of the learned counsel for the petitioner. The facts and circumstances under which anticipatory bail was granted to A2 is not relevant for considering the bail petition of this petitioner. The petitioner admittedly a broker in RTO Office and there are overwhelming evidence to show that through him, the forged documents been presented to the RTO Office. Granting of driving licence and badges based on forged documents may have wide a ramification. Until and unless the police complete the investigation, it is difficult to find out all the culprits involved in this crime. The expert opinion regarding the fake certificates are yet to be obtained. In the said circumstances, it is not feasible to release the petitioner on bail. Hence, this Criminal Original Petition is dismissed.

sd/-
12/04/2017

/ TRUE COPY /

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

TO

1. THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TUTICORIN.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYANMKOTTAI.

ORDER
IN
CRL OP (MD) No.4322 of 2017
Date : 12/04/2017

MS/PM.PN/SAR.4/19.04.2017/2P.4C