



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

Thursday, the Twenty Eighth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.10607 of 2018

C.CHELLADURAI

... PETITIONER / 2nd ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT.
CRIME NO.25 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.SORIMUTHU, Advocate
For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

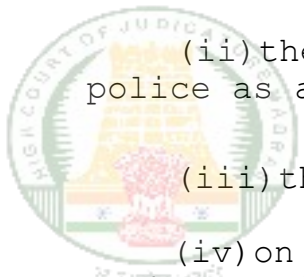
The petitioner is in judicial custody since 06.06.2018 for the offences punishable under Sections 120(b), 188, 465, 467, 468, 471, 420 and 109 I.P.C., in Crime No.25 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.Side) for the respondent.

3.No doubt, the allegations against the petitioner are grave in nature. He is said to have fabricated the Court document for the purpose of obtaining patta in his favour. Be that as it may, the fact remains that it is a case for bail and not for anticipatory bail. The case against the petitioner rests on documentary evidence. Hence, the continued incarceration of the petitioner will not be going to serve any purpose.

4.Taking into account of the facts and circumstances, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) 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 learned Judicial Magistrate No.I, Tirunelveli District.



(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not abscond.

(iv) on breach of any of the aforesaid conditions, the 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 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/-
28/06/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI DISTRICT.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, TIRUNELVELI DISTRICT.

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

+2. CC to MR.V.SORIMUTHU Advocate SR.No.11546

ORDER
IN
CRL OP(MD) No.10607 of 2018
Date :28/06/2018

MS/PN/RNB/28.06.2018/2P.8C