



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

Tuesday, the Thirtieth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.17837 of 2018

KABILAN

... PETITIONER / ACCUSED(SINGLE)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY.
CRIME NO.1 OF 2017

... RESPONDENT / COMPLAINANT

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

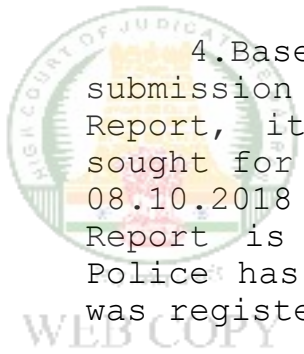
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 418, 420, 465, 468 and 471 I.P.C in Crime No.01 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the occurrence is said to have taken place on 31.07.2014 and the First Information Report has been registered on 02.01.2017, pursuant to a complaint given by one Soundararajan, Regional manager of State Bank of India. He alleged that while examining the staff accountability with regard to the disposal of the home loans to the private individual, he had an occasion to verify the loan alleged to have sanctioned to the petitioner herein to the tune of Rs.34,88,000/-. While verifying the records in connection with the said loan, the title deed of the property, which has been given as security for obtaining loan, is found to have been tampered. However, he would further allege that two stamp papers of the title deed are not tallied with the documents available in the Bank. That apart, IT return for the assessment year 2013-2014 has also been found to be a false document. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that in connection with the very same allegation, F.I.R. has been registered in Crime No.13 of 2016 and the petitioner was granted anticipatory bail in Crl.O.P.(MD).No.2245 of 2017 by an order dated 19.04.2017.



4. Based on the subsequent incrimination with regard to the submission of forged documents and the present First Information Report, it is nothing to continue the proceedings. As such, he sought for anticipatory bail. This Court considered the order dated 08.10.2018 and observed that if the present First Information Report is continuation of the earlier complaint, the respondent Police has to explain as to why separate First Information Report was registered in this case.

5. The learned Additional Public Prosecutor would submit that this is the continuation of the earlier allegations.

6. Considering the facts and circumstances, 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 arrest or on his appearance before the learned Judicial Magistrate No.I, Tirunelveli 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 for a period of two weeks daily at 10.30 a.m. from the date of receipt of a copy of this order and thereafter as and when required for interrogation. The petitioner shall comply with the conditions 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 shall stand dismissed.

sd/-
30/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TIRUNELVELI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.R.ANAND Advocate SR.No.20686

ORDER IN
CRL OP(MD) No.17837 of 2018
Date :30/10/2018