



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

Thursday, the Seventh day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1825 of 2019

JEYAPRAGASAM

... PETITIONER / ACCUSED NO.6

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, MADURAI.
(CRIME NO.57/2009)

... RESPONDENT / COMPLAINANT

N.JEGATHEESAN

INTERVENE PETITIONER/RESPONDENT

For Petitioner : Mr.R.PON KARTHIKEYAN Advocate

For Respondent : Mr.S.CHANDRASEKAR,Additional Public Prosecutor

For Intervenor : Mr.BABU RAJENDRAN,Advocate

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

ORDER : The Court Made the following order :-

The petitioner / A6, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 381, 379 r/w 120(b) of IPC altered into Sections 381, 465, 466, 468, 469, 120 (b), r/w 34 of IPC in Crime No.57 of 2009 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainant is the President of Tamil nadu Chambers of Commerce and the petitioner is one of the member of said association. Due to some dispute, the petitioner was removed from the membership of the above said association and the signatures of some members were forged by the petitioner to file a case before the Company Law Board, for which, a case has been registered by the Law Enforcing Agency.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Since the absconding charge sheet was filed by the respondent police, without issuing summon to



the petitioner, straight away, the lower Court issued the NBW. Accordingly, the petitioner prayed for bail and the learned counsel further contended that the petitioner is ready to abide by any of the conditions that is to be imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the State would submit that the present anticipatory bail is filed against NBW.

5. Heard the learned counsel for the intervenor.

6. Considering the facts and circumstances of the case, 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.I, Madurai, on condition that 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the trial Court daily at 10.30 a.m., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/02/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO-I,
MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, MADURAI.

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

+1. CC to Mr.R.PON KARTHIKEYAN Advocate SR.No.2624

PS/VR/SAR-3/14.02.2019/3P/6C

ORDER

IN

CRL OP(MD) No.1825 of 2019

Date :07/02/2019