



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.1927 of 2019

LINGAN

... PETITIONER / ACCUSED (RANK NOT KNOWN)

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
WORAIYUR - POLICE STATION,
TRICHY CITY.
CRIME NO.711/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.BALAMURUGAPANDI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government 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 offences punishable under Sections 465, 468, 471 and 420 IPC in Crime No.711 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that a lorry bearing Registration No.TN-48-AY-1288 belonging to the fourth accused-Suresh, has been mortgaged with the third accused-Mani @ Manikandan and thereafter, the said lorry has been mortgaged with one Arunagirinathan/A2. Thereafter, the petitioner/A1 and the said Arunagirinathan/A2, approached the de-facto complainant and obtained loan by creating fake documents thereby cheated the de-facto complainant.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that this Court by order dated 02.01.2019 in Crl.O.P.(MD)No.19605 of 2018 granted anticipatory bail to the co-accused in this case.

4.The learned Government Advocate (Criminal side) submitted that the report from the Motor Vehicle Inspector clearly states that the particulars of photocopy as well as the Registration Certificate



of the vehicle are being forged. He further submitted that the petitioner and the other accused cheated several persons. The vehicle was seized and produced before the learned Judicial Magistrate No.IV, Trichy.

5. Taking into consideration the facts of the case and the submissions made by learned counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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.IV, Trichy, Trichy District, 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police for a period of two weeks and thereafter, as and when required for interrogation;

(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 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]**; and;

(f) if the accused thereafter absconds, 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.IV,
TRICHY, TRICHY DISTRICT.

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



3 THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.M.VINESH KUMAR, Advocate (SR-2715 dated 08/02/2019)

ORDER

IN

CRL OP(MD) No.1927 of 2019

Date :07/02/2019

JM/VR/SAR 2/13.02.2019/3P/6C