



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

Monday, the Eighteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2443 of 2019

AHAMMED RAMALI

... PETITIONER / ACCUSED No. 3

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT
(CRIME NO.62/2009)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.RAMESH Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. 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 offence under Sections 465, 468 and 471 IPC in Cr.No.62 of 2009, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that A1 and A2 created fake transfer certificate for the purpose of getting passport, for which the passport authority preferred a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioner is running a travel agency and he did not commit any offence alleged by the prosecution. He would further submit that as per records submitted by A1 and A2, he submitted application before the passport authority and hence, he would pray for anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation has been completed and charge sheet has also been filed and pending before

the Court below for taken on file.

5. Considering the facts and circumstances of the case and considering the fact that this case is pending from the year 2009 and that charge sheet has also been filed and pending before the Court below for taken on file, this Court is inclined to grant anticipatory bail to the petitioner. 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.I, Tirunelveli, 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 learned Judicial Magistrate No.I, Tirunelveli 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 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/-
18/02/2019

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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

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT

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

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+1. CC to MR.A.RAMESH Advocate SR.No.3225

ORDER

IN

CRL OP (MD) No.2443 of 2019

Date :18/02/2019

MSI/PN/SAR-III/21.02.2019-3P/6C