



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22601 of 2018

VENKATESH KANNAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
TIRUNELVELI DISTRICT.
Crime No.39/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.P.ALWIN BALAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 30.11.2018 for the offences punishable under Sections 167, 465, 468, 260, 419, 471 and 420 of IPC in Crime No.39 of 2018 on the file of the respondent police and seeks bail.

2. The case of the prosecution is that the de facto complainant/ Revenue Tahsildar of Cheranmahadevi Taluk has given a complaint against one Selva Vinayagam, Village Administrative Officer of South Veeravanallur Village, Part- I, that he has forged the signature of the de facto complainant with fake Government seal and issued bogus patta after receiving money from public as if they were granted free patta by the Government and thus cheated the public.

3. Totally, there were 78 beneficiaries who are to be given free patta. On 15.09.2018, the Sub Collector gave 15 pattas and thereafter, the balance pattas were handed over to the Village Administrative Officer by instructing to issue the same through the Revenue Tahsildar to the remaining beneficiaries. One of the beneficiary has opted for change of patta and during the
<https://hcservices.courts.tn.gov.in/hcservices/> was came to known that the signature and official seal were appeared to be forged. Thereafter, it was found that the Village Administrative Officer along with other accused had joined



together and created bogus patta by forging the signature of the Revenue Tahsildar and issued the same to various persons after receiving Rs.25,000/- each and accordingly collected a huge sum of money for issuance of free patta in place of the real beneficiaries.

4. Thus, the real beneficiaries were denied from being issued with free patta. As far as this petitioner is concerned, he has acted as an agent to those persons who are in need to patta by paying money and by forging the signature of Revenue Tahsildar and Government seal. The learned counsel also submitted that the petitioner is in jail from 30.11.2018.

5. Learned Additional Public Prosecutor would submit that the investigation of the case is still pending

6. Considering the above facts and circumstances and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate No.I, Tirunelveli and on further condition that:

[a] the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

[b] the petitioner shall not tamper with evidence or witness either during trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR Can be registered under Section 229 A IPC.

sd/-
30/01/2019

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO I,
TIRUNELVELI.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

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

4. THE SUPERINTENDENT,
CENTRAL PRISON, PALALYAMKOTTAI.

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

+1. CC to Mr.P.P.ALWIN BALAN Advocate SR.No.1739

ORDER

IN

CRL OP(MD) No.22601 of 2018

Date :30/01/2019

TK/VR/SAR-2/30.01.2019/3P/7C