



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

Date : 13/09/2019

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.12724 of 2019

V.Stalin

... Petitioner/Accused No.4

Vs

State Represented by,
The Inspector of Police,
District Crime Branch,
Dindigul, Dindigul District
(Crime No.31 of 2019).

... Respondent/Complainant

For Petitioner : Mr.Lakshmi Gopinathan, Advocate for
M/s.Polax Legal Solutions

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

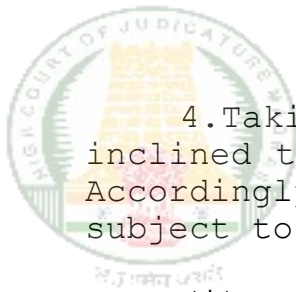
For Bail in Crime No.31 of 2019 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner is arrayed as accused No.4. He was arrested and remanded to Judicial Custody on 27.08.2019, for the offences punishable under Sections 406, 420, 466, 468 and 471 of I.P.C., in Crime No.31 of 2019, on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that the defacto complainant obtained an attachment order in a civil case. To raise the same, a petition was filed. In that petition, the signature of the defacto complainant's lawyer was forged. Based on the same, the attachment order was raised. Hence, the First Information Report in question came to be registered. The petitioner is not named in the First Information Report and no specific overt act is attributed against him also. The other accused have since been arrested. No purpose will be served by keeping the petitioner in continued incarceration.



4. Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) 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 Judicial Magistrate No.II, Dindigul.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
13/09/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.

3 THE OFFICER IN CHARGE, DISTRICT JAIL, DINDIGUL.

4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, DINDIGUL, DINDIGUL DISTRICT

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

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate
(SR-15311[I] dated 13/09/2019)

ORDER IN
CRL OP(MD) No.12724 of 2019
Date :13/09/2019

ES/PN/SAR 4/13.09.2019/2P/7C

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