

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the First day of June Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.6972 of 2020

S.AYYAPPAN

[ PETITIONER / ACCUSED ]

Vs

THE SUB-INSPECTOR OF POLICE [ RESPONDENT ]  
ULUNDURPET POLICE STATION,  
VILUPURAM DISTRICT.  
(CRIME NO. 110 OF 2020)

For Petitioner : M/S.S.SARAVANA KUMAR Advocate

For Respondent : MR.K.PRABAKAR ADDL.PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL 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 offences publishable under **Sections 177, 465, 468 and 471 of IPC in Crime No.110 of 2020** on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner by producing fake community certificate, has joined as a police constable in the Tamil Nadu Police Department. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him and that the alleged certificate is in the custody of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has joined in the Tamil Nadu Police Department by producing fake certificates. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration, the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

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 on which the order copy made ready, before the **learned Judicial Magistrate-I, Ulundurpet, Villupuram District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **one surety** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the surety 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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

01/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, ULUNDURPET,  
VILLUPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE  
VILLUPURAM[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

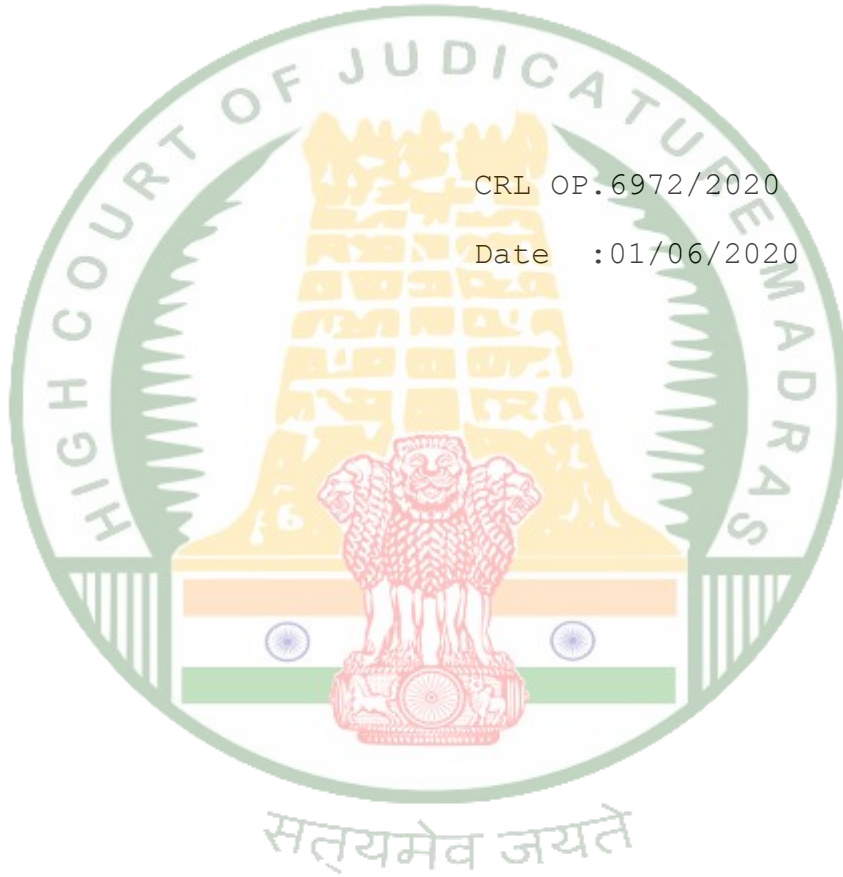
4 THE SUB-INSPECTOR OF POLICE  
ULUNDURPET POLICE STATION,  
VILUPURAM DISTRICT.

CC to M/S.S.SARAVANA KUMAR Advocate on payment of necessary  
charges

CRL OP.6972/2020

Date :01/06/2020

RD 07/07/2020



WEB COPY