

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.OP.No.8964 of 2020

Settu

.. Petitioner

Vs

State Rep.by

The Sub-Inspector of Police,
Sozhatharam Police Station,
Cuddalore.

(Crime No. 222 of 2016)

... Respondent

Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.222 of 2016 on the file of the Inspector of Police,
Sozhatharam Police Station, Cuddalore.

For Petitioner : Mr. G. Pugazhenthir

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 468, 471, 420 of IPC and 12(1)(d) of Passport Act, 1967 in Crime No. 222 of 2016 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner applied for a passport with a fake transfer certificate.

3. The learned counsel for the petitioner submitted that the petitioner himself was not aware of the fact that the transfer certificate was fake.

4.The learned Additional Public Prosecutor on instructions, submitted that the case pertains to the year 2016 and the petitioner had produced a fake transfer certificate while applying for the passport.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance,

within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif-cum Judicial Magistrate, Kattumannarkoil, Cuddalore District, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five 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, failing which, the petition for anticipatory bail shall stand dismissed 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 is directed to appear before the respondent, as and when required.

[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 person thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

18/06/2020

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KATTUMANNARKOIL, CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

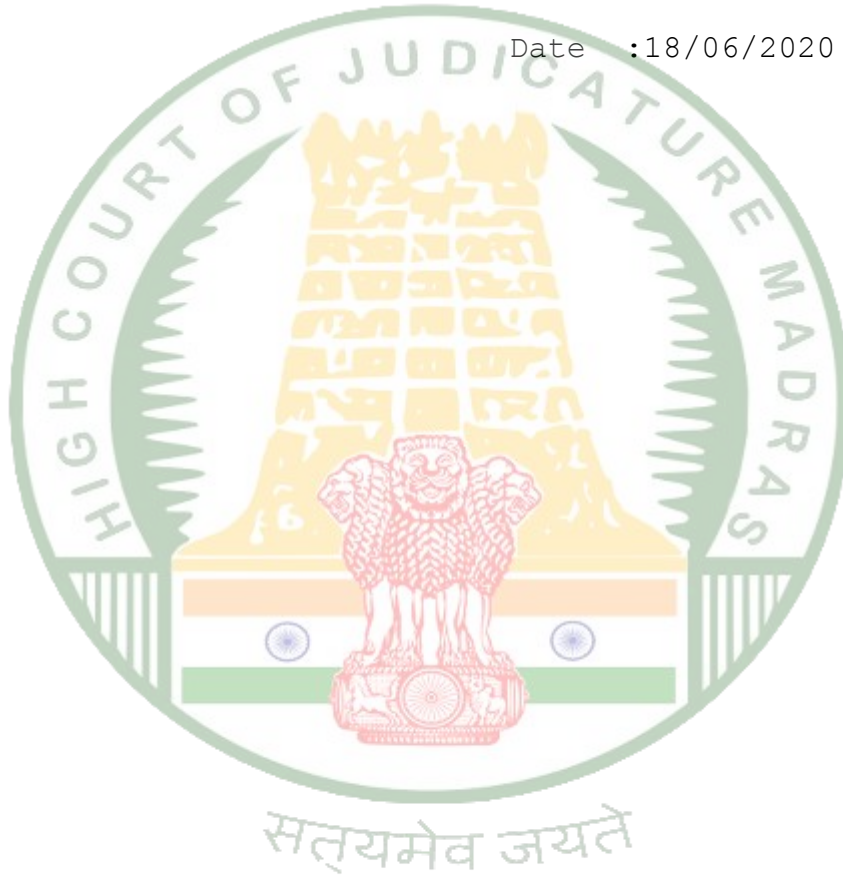
4 THE SUB INSPECTOR OF POLICE,
SOZHATHARM POLICE STATION,
CUDDALORE DISTRICT.

CC to M/S G.PUGAZHENTHI Advocate on payment of necessary
charges

CRL OP.8964/2020

Date :18/06/2020

TA-26/08/2020



WEB COPY