

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.OP.No.11137 of 2020

Murugananthavalli

... Petitioner

Vs.

State Represent Through  
Inspector of Police,  
District Crime Branch (DCB),  
Tiruvarur District.  
Crime No.4 of 2019.

... Respondent

**Prayer:** Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.4 of 2019 on the file of the respondent police.

For Petitioner : Mr.S.K.Syed Eliyas

For Respondent : Mr.M.Mohamed Riyaz,  
Additional Public Prosecutor

**ORDER**

**(This case has been heard through video conference)**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 468, 471 and 420 of IPC in Crime No.4 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had obtained the Government job by producing fabricated Date of Birth Certificate. Hence, the compliant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that the petitioner was appointed by the TNPSC as a Steno cum Typist in the District Panchayath Raj Unit of Thanjavour during the year 2012. Thereafter, due to false complaint, the petitioner was suspended and after completion of departmental proceedings, she has rejoined in the duty on 29.07.2016. He further submitted that the petitioner appeared before the respondent police regularly for enquiry and the original documents were seized by the Inspector of Police, District Crime Branch (DCB), Tiruvarur District. Hence, seeks for grant of

anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner had obtained Government job in the District Panchayath Raj Unit of Thanjavour, as a Steno cum Typist during the year 2012 by fabricating her Date of Birth in various documents as 30.05.1973 instead of 30.05.1972. He further submitted that the case was registered in the year 2016 and thereafter the case was formally changed from the DCB, Thanjavur to the respondent police. He further submitted that the investigation is still pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions of the learned counsel and the fact that the case is borne by documents, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6. Accordingly, the petitioner is directed to be released on bail in the event of her arrest or on her appearance, within a period of fifteen days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned The Judicial Magistrate, Thiruvarur, 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, 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 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter 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.

8. With the above directions, this Criminal Original Petition is ordered.

-sd/-  
27/07/2020

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,  
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH (DCB),  
TIRUVARUR DISTRICT.

CC to M/S. S.K.SYED ELIYAS Advocate on payment of necessary charges

CRL OP.11137/2020

सत्यमेव जयते Date : 27/07/2020

TA-11/09/2020

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