



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

Date : 13/02/2020

PRESENT

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

CRL OP(MD). No.2563 of 2020

Manickam

... Petitioner/Accused No.7

Vs

The State rep.by
The Inspector of Police,
Central Crime Branch,
Madurai City.
Crime No.48/2019

... Respondent/Complainant

For Petitioner : M/s.B.Prahalad Ravi, Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.R.Shanmugaraja Sethupathi, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C
PRAYER :-

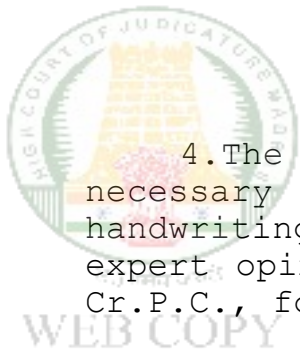
For Anticipatory Bail in Crime No.48/2019 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 465,
468, 471 and 120(b) of I.P.C., in Crime No.48 of 2019 on the file of
the respondent police, seeks anticipatory bail.

3. The petitioner had earlier moved this Court by filing a
petition for anticipatory bail and the same was dismissed as
withdrawn. The petitioner has filed this second petition. The case
involves allegations of forgery and fabrication of documents.
Specific allegations have been made against the petitioner also.
However, the case against the petitioner rests on documentary
evidence. Therefore, I am therefore inclined to grant anticipatory
bail.



4.The learned counsel for the intervener pointed out that it is necessary that the investigation obtains the sample signatures and handwriting of the petitioner for the purpose of obtaining the expert opinion of the handwriting expert. Under Section 311(A) of Cr.P.C., formal arrest of the petitioner is required.

5.The learned counsel for the petitioner states that the petitioner ought to be given protection against being remanded.

6.Since this Court had already given anticipatory bail to the petitioner, the question of the petitioner being remanded, does not at all arise. It is made clear that the respondent will only formally arrest the petitioner for the purpose of complying with the requirements of Section 311(A) of Cr.P.C., and for collecting the sample signature and handwriting of the petitioner herein. The petitioner shall extend his full cooperation in this regard and appear before the Magistrate in this regard along with the respondent. This in my view, will balance the interest of both the parties. The petitioner will not go to jail and at the same time, the interest of investigation will also be taken care.

7. With this observation, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Madurai, and 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
13/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO I,
MADURAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
MADURAI CITY.

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

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-3082[I] dated
13/02/2020)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-3155[I] dated 14/02/2020
)

ORDER

IN

CRL OP(MD) No.2563 of 2020

Date :13/02/2020

PNN

TK/VR/SAR.2/19.02.2020/3P/7C