



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

Date : 03/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.12098 of 2020

1.Prabakaran
2.Deivendran

... Petitioners/Accused
No.1 and 2

Vs

The State rep.by
The Inspector of Police,
Anna Nagar Police Station,
Madurai District.
Crime No.1765/2020

... Respondent/Complainant

For Petitioners : Mr.M.Chandrabose,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 1765 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 193, 197, 198, 255, 467 and 420 of I.P.C., in Crime No.1765 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were stood as sureties for the uncle of the first petitioner namely, Kannan @ Kuttai Kannan pursuant the anticipatory bail granted in favour of him. Thereafter, it was found that the solvency certificate issued by the petitioners are bogus and they fabricated the seal and signature of the Tashildar and produced before the Magistrate. Hence, the complaint.

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



4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners only stood as sureties for the uncle of the first petitioner, who only prepared all the documents and produced before the Court concerned. He further submitted that when the petitioners approached the Tahsildar Officer, a Broker approached them and believing his words, they obtained solvency certificate from him and produced the same before the concerned Court. Hence, they pray for anticipatory bail.

5. The learned Government Advocate (Criminal Side) submitted that the petitioners were stood as sureties in favour of one Kannan @ Kuttai Kannan in pursuance to the anticipatory bail granted to him. The petitioners filed bogus certificate as if it was issued by the Tahsildar concerned.

6. It is seen that there are two accused in this case. The petitioners stood as sureties for one Kannan @ Kuttai Kannan pursuant to the anticipatory bail granted in favour of him. While producing solvency certificate, they fabricated the signature and seal of the Tahsildar and obtained bogus certificate and produce the same before the Court. The petitioners have committed serious offence and cheated the Court. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this petition is dismissed.

sd/-
03/11/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION, MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.12098 of 2020
Date : 03/11/2020

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<https://hccr.certh.gov.in/hccr-portal> 1.2020/2P/3C