



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/12/2020

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PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.13580 of 2020

S.Kani

... Petitioner/Accused No.1

Vs

State Rep. by
The Inspector of Police,
Bodi Town Police Station,
Theni District.
(In Crime No.2690 of 2020).

... Respondent/Complainant

For Petitioner : M/s.B.Baskar,
Advocate.

For Respondent : M/s.M.Anantha Devi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.2690 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

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

2. The petitioner is arrayed as A1. He was arrested and remanded to Judicial Custody on 09.10.2020 for the offences punishable under sections 464, 465, 468, 471, r/w. 109 of I.P.C., in Crime No.2690 of 2020 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that the petitioner had forged the signature of the Village Administrative Officer and Stamps and also produced forged sureties and hence, a case has been registered.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and hence, he seeks bail.



5.The learned Government Advocate(Crl.side) appearing for the State made a submission that the petitioner is a practicing Advocate and there is no specific overt-act attributed against the petitioner herein.

6.Considering the submissions made on either side, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate, Bodinayakanur.

[a] The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate/concerned Court 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 twice a day ie., every day morning at 10.00 a.m and evening at 06.00 p.m for a period of four weeks and thereafter, every day morning at 10.00 a.m for a period of another 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 petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
01/12/2020

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

TO

1 THE JUDICIAL MAGISTRATE,

<https://hcservices.tn.nic.in/Res/>



2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3 THE INSPECTOR OF POLICE,
BODI TOWN POLICE STATION,
THENI DISTRICT.

4 THE SUPERINTENDENT,
MADURAI CENTRAL PRISON, MADURAI.

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

ORDER
IN
CRL OP(MD) No.13580 of 2020
Date :01/12/2020

NS
JM/PN/SAR II/01.12.2020/3P/6C