

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.4457 of 2021

P.YUVARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
LAND GRABBING CELL TEAM NO.XXIII,
O/O.COMMISSIONER OF POLICE OFFICE,
1ST FLOOR,VEPERY, CHENNAI
(CR.No.08 of 2021)

For Petitioner : M/S.V.GANESH Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 465 and 468, 471(A) of I.P.C. in Cr.No.08 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is along with the other accused is alleged to have fabricated the document of the defacto complainant.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He would further submit that the petitioner is only a document writer and he was not aware of the involvement of the other accused in the crime.

4.The learned Additional Public Prosecutor submitted that A1 and A2 in this case was already arrested and they were enlarged on bail on condition to cancel the fabricated document and accordingly, the fabricated document was cancelled by the main accused.

5.Considering the fact that that the fabricated document has been cancelled, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, at Poonamallee, Chennai - 600 056, Tiruvallur District, 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 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 Court concerned 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. until further orders;

(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 petitioners 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

16/04/2021

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,
NO.II, POONAMALLEE, CHENNAI 600 056,
TIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, LAND GRABBING CELL TEAM NO.XXIII,
O/O.COMMISSIONER OF POLICE OFFICE,
1ST FLOOR, VEPERY, CHENNAI

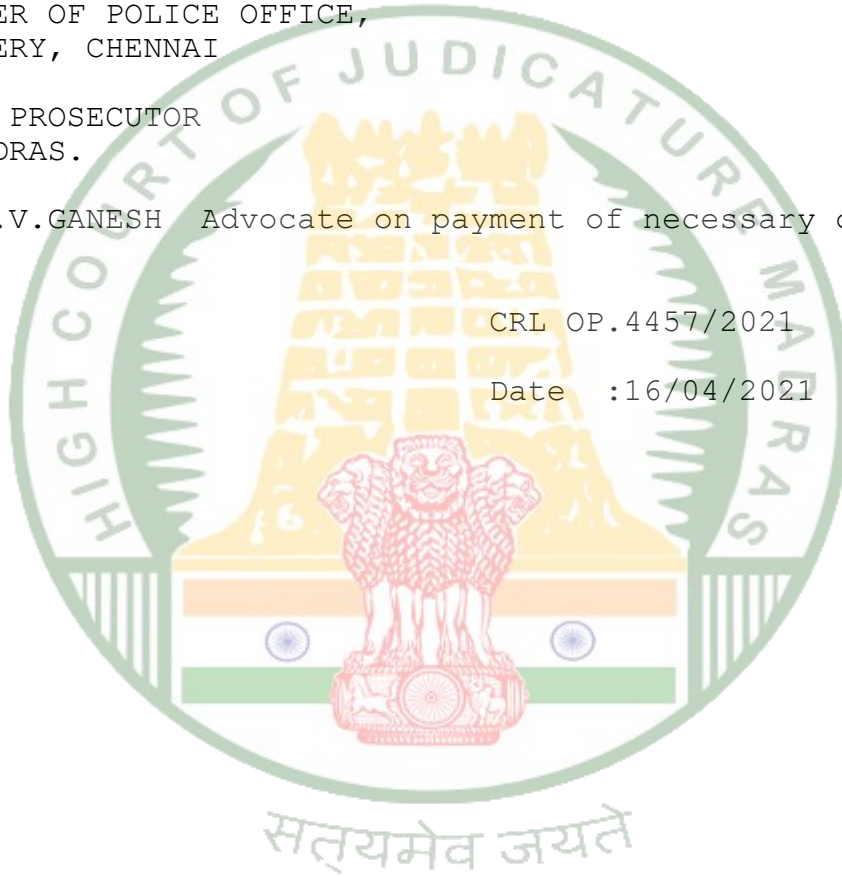
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.GANESH Advocate on payment of necessary charges

CRL OP.4457/2021

Date :16/04/2021

RVR 06/05/2021



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