



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.11070 of 2021

M.S.Kumar

... Petitioner

Vs.

State rep by
The Inspector of Police,
District Crime Branch,
Tiruvannamalai,
Tiruvannamalai District.
(Crime No.6 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioner on bail in the event of his arrest in Crime No.6 of 2021 pending on the file of the respondent police.

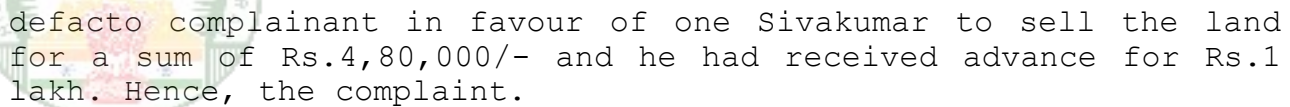
For Petitioner : Mr.R.Vivekananthan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 419, 465, 468, 471, 420 and 511 IPC in Crime No.6 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant viz., M.Sekar is a resident of Tiruvannamalai and he was working at Chennai and he used to go to his native once in 15 days and his family is residing at Tiruvannamalai. On 26.11.2019, one Sivakumar (A2) had visited the defacto complainant's house and informed his wife that her husband had obtained a loan of Rs.1,00,000/- from him and asked her to repay the same with interest. Immediately, the defacto complainant went to Tiruvannamalai and in order to verify the encumbrance of his house, he obtained Encumbrance Certificate and on verifying the encumbrance certificate, he came to know that on 06.04.2015 one person impersonated as M.Sekar and executed Power of Attorney in favour of Baskar (A1) and the same was registered as D.No.2802 of 2015 before the Sub Registrar, Tiruvannamalai. Thereafter, in the year 2019, the said Baskar (A1) executed the sale agreement of the above property belonging to the



4.The learned Government Advocate (CrI.Side) submits that the petitioner is the scribe of the alleged power of attorney document dated 06.04.2015., he created the forged document. Hence, he vehemently opposed for grant of 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.1, Tiruvannamalai 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:

(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.

<https://hcservices.ecourts.gov.in/hcservices/>



(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/-
12/07/2021

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.I,
TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVANNAMALAI,
TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S R.VIVEKANANTHAN Advocate on payment of necessary charges SR NO.7338

CRL OP.11070/2021

Date :12/07/2021

MK:23/07/2021