



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the First day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15691 of 2021

KARNAN

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
TIRUVALLUR TALUK POLICE STATION,  
TIRUALLUR,  
TIRUVALLUR DISTRICT.  
CRIME NO. 472 OF 2021.

[ RESPONDENT ]

For Petitioner : M/S. D.DEVENDRAN Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate ( Crl. Side)

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 Section 468, 471, 420 of IPC, in Crime No.472 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police stating that the defacto complainant borrowed a sum of Rs.2 Lakhs from the petitioner and executed a mortgage deed. Thereafter, the petitioner forged a promissory note and demanded Rs.8 lakhs from the defacto complainant. Hence, the complaint was registered against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him. from Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate submitted that investigation is at preliminary stage. Hence, he opposed to grant anticipatory bail to the petitioner.

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5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner on certain conditions.

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-II, Thiruvallur 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)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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]; and;



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

-sd/-

01/09/2021

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, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
TIRUVALLUR TALUK POLICE STATION,  
TIRUVALLUR, TIRUVALLUR DISTRICT.

+1 CC to M/S. D.DEVENDRAN Advocate on payment of necessary charges SR.NO.9439

CRL OP.15691/2021

Date :01/09/2021

RW 13/09/2021