



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17258 of 2021

1 J.PERUMAL [PETITIONERS / ACCUSED]
2 P.PRAVEEN KUMAR

Vs

STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH CCB-1,
ANTI- DOCUMENT FORGERY WING,
VEPERY, CHENNAI.
(CCB.CRIME NO.158/2021)

For Petitioner : M/S.LAKSHMI NARAYAN, Advocate for M/S. N.ELAYARAJA
Advocate

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

For Intervener : M/S.AKHIL AKBAR ALI, Advocate

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 468 and 120B of I.P.C. in Cr.No.158 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the father - in - law of the first petitioner's elder son, the second petitioner is the younger son of the first petitioner. The first petitioner's wife was running security agency under the name and style of M/s.National Security Agency at Chennai and she died on 21.07.2018. Thereafter, in order to get the entire profits, the petitioners are alleged to have forged the signature of the first petitioner's elder son and prepared the declaration of ownership document. Hence, the complaint.



3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in the case. He would further submit that it is purely a civil dispute and the first petitioner has filed a suit in O.S.No.802 of 2021 before the XIII Assistant City Civil Court, Chennai and the same is pending, however, at the instigation of the first petitioner's elder son, the defacto complainant has lodged the complaint.

4.The learned counsel appearing for the intervenor submitted that the petitioners have created forged document and vehemently opposed for grant of anticipatory bail to the petitioners.

5.Heard the submissions made by the learned Government Advocate.

6.Considering the fact that this present issue appear to be a civil dispute and civil suit is pending before the competent Court, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned CCB-CBCID Metropolitan Magistrate Court - Egmore, Chennai - 8, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners 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 petitioners 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;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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/-

22/09/2021

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 CCB-CBCID METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI-8.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH CCB-1,
ANTI- DOCUMENT FORGERY WING,
VEPERY, CHENNAI.

+1 CC to M/S. N.ELAYARAJA Advocate on payment of necessary charges SR.NO.10409

CRL OP.17258/2021

Date :22/09/2021

RW 27/09/2021