



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.20237 of 2021

Murugappan

... Petitioner

Vs.

The State of Tamil Nadu
through
The Inspector of Police
Dharapuram Police Station
Tiruppur District
(Crime No.1199 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.1199 of 2021 on the file of the respondent police.

For Petitioner : Mr.Deepan Uday

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 03.10.2021 for the offences under Sections 259, 260, 468, 471, 474 and 420 IPC in Crime No.1199 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the complaint was given by the learned Subordinate Judge, Dharapuram, based on the directions of this Court, Vigilance Cell, with respect to fake Court fee paid in MCOP Cases and the case was registered by the respondent police against the accused persons.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case based on the confession of A2. He would further submit that A1 has been released on



bail by the Court below in Cr.M.P.No.1620 of 2021 dated 28.09.2021 and the petitioner has been suffering incarceration for more than 40 days from 03.10.2021. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate raised strong objection stating that A1 with the help of other accused had filed fake Court fee stamp papers in MCOP cases and thereby, committed fraud on the Court as well as on the Government. The petitioner is arrayed as A3 and he has played a major role in distributing the fake stamp papers to various Counsels as well as Advocate Clerks. He would further submit that A1 has been released on bail by this Court in CrI.O.P.No.21026 of 2021 dated 09.11.2021.

5. Considering the period of incarceration undergone by the petitioner and the fact that A1 and A6 have been released on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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, Dharapuram, Tiruppur District, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 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;



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

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-sd/-

15/11/2021

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,
DHARAPURAM, TIRUPPUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DHARAPURAM POLICE STATION,
TIRUPPUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

CC to M/S DEEPANUDAY Advocate on payment of necessary charges

CRL OP.20237/2021

Date :15/11/2021

APN 16/11/2021