



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

Wednesday, the First day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.23254 of 2018

M.NEELAMEGAM

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CB/CID AT DHARMAPURI,
3/939, SALEM MAIN ROAD,
AVVAI NAGAR, TNHB HIG-47,
COLLECTORATE POST DHARMAPURI.

[RESPONDENT]

For Petitioner : M/S.S.KALYANARAMAN 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 465, 468, 420, 209, 201 of IPC in Crime No.1 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the vehicle owner and he met with an accident during the year 2009 and filed a petition for compensation in MCOP.No.463 of 2009. The trial Court in the claim petition, awarded a sum of Rs.1,36,000/- as compensation. Aggrieved by the same, the petitioner filed a appeal in CMA.No.916 of 2016 and this Court granted interim stay. While so, the Insurance Company after verification, found that the said insurance copy, which was produced by the petitioner, is a bogus one. Based on the complaint, the respondent police lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he is an innocent and he is no way connected to the alleged offences. Hence, he prays to grant anticipatory bail to the petitioner.



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

5.Considering the facts and circumstances of the case and the submission made on either side, 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 -I, Dharmapuri 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.

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-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.I, DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
CB/CID AT DHARMAPURI,
3/939, SALEM MAIN ROAD,
AVVAI NAGAR, TNHB HIG-47,
COLLECTORATE POST DHARMAPURI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.KALYANARAMAN Advocate on payment of necessary charges SR.NO. 9368

CRL OP.23254/2018

Date :01/09/2021

JPA 13/09/2021