



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 26/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1813 of 2021

S.Dhanavel

... Petitioner/Accused

Vs

The State Rep.by its.,
The Inspector of Police,
Koodakovil Police Station,
Madurai District.
Crime No. 11 of 2021.

... Respondent/Complainant

For Petitioner : Mr.J.Jeyakumaran,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 406,
420, 465 and 471 of I.P.C., in Crime No.11 of 2021, on the file of
the respondent police, seeks anticipatory bail.

3. It is seen that the petitioner was employed in Subbalakshmi
Lakshmipathy Foudation, which was run by R.L. Driving School from
04.12.2020 to 26.12.2020. Thereafter, he was dismissed from the
service. He had prepared forged salary certificate and also forged
the signature of the Director in the said certificate, after
dismissal from service and applied loan. During the enquiry, it was
found that the salary certificate had been forged.



4. Admittedly no loan was disbursed in view of the forged salary certificate. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tirumangalam, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) The petitioner and 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 for a period of two weeks and thereafter, as and when required for interrogation.

(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.

sd/-

26/02/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE, THIRUMANAGALAM

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT

3. THE INSPECTOR OF POLICE,
KODAKOVIL POLICE STATION, MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1813 of 2021

Date : 26/02/2021

IAS

PK/SMA/SAR-II/03.03.2021 : 3P/5C