



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.08.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.3876 of 2021

K.Rajkumar ... Petitioner/Accused No.1

Vs

The State represented by
The Sub Inspector of Police,
Thallakulam Police Station,
Madurai City.
Crime no.198 of 2021

... Respondent/Complainant

For Petitioner : Mr.V.Santhakumaresan,
Advocate.
For Respondent : Mr.T.Senthilkumar
Government Advocate(Crl. side)

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

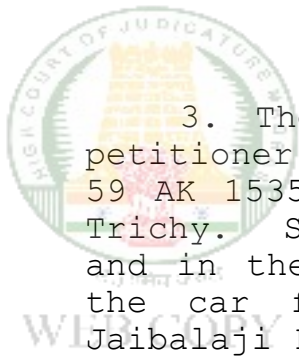
PRAYER :-

For Anticipatory Bail in Crime no.198 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 468, 471, 406 and 420 of IPC in Crime No.198 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused forged the signature of one Karthikeyan in the name transfer application and filed the application before Madurai South RTO Office and got the name transfer Registration Certificate in the petitioner's name for the vehicle bearing Registration No.TN 59 AK 1535. Hence, the complaint.



3. The learned counsel for the petitioner submits that the petitioner has purchased the D Zire Car bearing Registration No.TN 59 AK 1535 from one Gowrishankar, the Proprietor of Annachi Cars, Trichy. Subsequently, he mortgaged the car with Jaibalaji Finance and in the year 2017, the petitioner's friend Sasikumar purchased the car from him, promising to settle the dues pending with Jaibalaji Finance. The learned counsel would further submit that the petitioner is having all the documents to establish that he has purchased the car and he is ready to produce the documents to the Investigation Officer and co-operate for the enquiry.

4. The learned Government Advocate (Criminal Side), on instructions, would submit that the vehicle has been transferred by forging the signature of one Karthikeyan, as if this petitioner has paid a sum of Rs.5,00,000/- to Karthikeyan for purchasing the vehicle.

5. Considering the facts and circumstances of the case, nature of allegation against this petitioner and the fact that the petitioner is ready to co-operate with the enquiry, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is allowed.

6. 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 Judicial Magistrate Court No.II, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 am., until further orders.

[c]the petitioner shall not tamper with the 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 *Govindarajan P. vs. State of Kerala* [(2005)AIR SCW 5560].



[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/08/2021

/ TRUE COPY /

WEB COPY

/ /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 NO.II,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
THALLAKULAM POLICE STATION, MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.V.Santhakumaresan, Advocate SR.No. 5490

ORDER
IN
CRL OP(MD) No.3876 of 2021
Date :17/08/2021

SS/PN/SAR-IV/23.08.2021 : 3P/6C