



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 26.07.2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

WEB COPY

CRL OP (MD) No.9560 of 2021

1.Bevin
2.Mohan
3.Jegan
4.Kelin @ Kevin ... Petitioners/Accused Rank Not Known

Vs

The State Represented by,
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
Crime No.417 of 2021 ... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi

For Respondent : Mr.M.Muthumanikkam,
Government Advocate(Crl. Side)

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

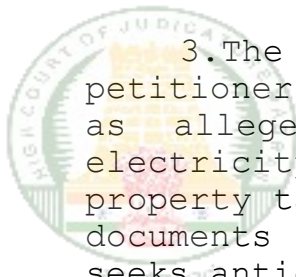
PRAYER :-

For Anticipatory Bail in Crime No.417 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 466, 468 and 471 of IPC in Crime No.417 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the petitioners in this case are the owners of commercial complex in Survey ward-4, Block No.10, S.No.419, Plot No.2 at Kiruns Road near Periyar Statue in Karaikudi. The commercial complex construction was completed and the petitioners produced completion certificate dated 02.03.2021 with a signature of the Town Planning Inspector concerned for getting electricity connection. It turned out that the completion certificate dated 02.03.2021 was made by forging the signature of Town Planning Inspector. Therefore, this case came to be registered.



3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He further submitted that electricity connection is given to the commercial complex and property tax was also assessed in the names of the petitioners. The documents concerned in this petition have been seized. Therefore, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) opposed this petition on the ground that investigation is still pending.

5. It is a case of forging a signature of Town Planning Inspector and submitting an application for getting electricity connection. First Information Report is registered only on 12.07.2021. Investigation in this case is in preliminary stage. The petitioners have not produced any material to show that permanent electricity connection was given and property tax was assessed in their name. Without those materials, the submission of the learned counsel for the petitioners cannot be appreciated. Since the Investigation is in preliminary stage, this Court is of the considered view, in the facts and circumstances of the case, that custodial interrogation of the petitioners/accused is necessary and this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/07/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 INSPECTOR OF POLICE, KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT,
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP (MD) No.9560 of 2021
Date : 26/07/2021