



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

Date : 25.08.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10779 of 2021

WEB COPY

T.Selvaraj

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
East Police Station,
Kovilpatti,
Tuticorin District.
[Crime No.908 of 2020]

... Respondent/Complainant

For Petitioner : M/s. Rajesh Saravanan.B,
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.908 of 2020 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 offence punishable under Sections 465, 468, 420, 431, 294(b) & 506(ii) IPC in Crime No.908 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has created bogus letterhead as if the president of Transport Advisory Association and collected money from public.

3.The learned counsel for the petitioner submitted that the petitioner is the ex-president of the said Association and there was rivalry in the administration of the Association between the petitioner and the defacto complainant, who is the Secretary of the said Association. Therefore, this complaint has been foisted against the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted the petitioner claiming to the President of the Transport Advisory Association has collected money from the general public.



5.Considering the facts and circumstances of the case, the nature of allegations, the fact that no complaint or whatsoever has been received from the public against the petitioner and his status of erstwhile President of the said Association, this Court is inclined to grant anticipatory bail to the petitioner.

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6.Accordingly this criminal original petition is allowed and 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, Kovilpatti, 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 learned 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 learned 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 as and when required.

[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 **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

// True Copy //

/ /2021

Sub Assistant Registrar(CS I)

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.I,
Kovilpatti,
- 2.Do-through Chief Judicial Magistrate,
Tuticorin District.
- 3.The Inspector of Police,
East Police Station,
Kovilpatti,
Tuticorin District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.B.Rajesh Saravanan, Advocate, (SR-5776 Dated 27/08/2021)

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RS/SKN/SAR1 (08.09.2021) 3P 6C