



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

Wednesday, the Fifteenth day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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CRL OP(MD) No.19483 of 2021

DINESHKUMAR

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT
(CRIME NO.494 OF 2021)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.DEENADHAYALAN, Advocate
For Respondent : MR.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

Prayer:-For Bail in Crime No.494 of 2021 on the file of the respondent police.

ORDER : The Court Made the following order :-

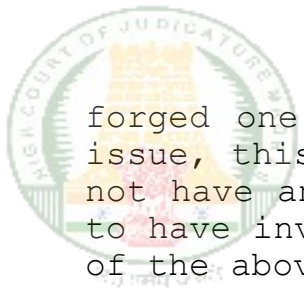
The petitioner, who is arrayed as A1 was arrested and remanded to judicial custody on 09/11/2021 for the alleged offences punishable under Sections 465, 468 and 471 IPC, in Crime No.494 of 2021 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that A3 namely Grachy has registered an application for legal heirs certificate through on line. When that was down loaded, it was found that the death certificate of one Periasamy was found to be bearing No.148/2016. When comparison was made and also made enquiry with the former Village Administrative Office by name Sudharsan, he informed that he did not sign in the above said death certificate. In respect of the above said process, A1 namely Dineshkumar used to visit the office frequently and make enquiry about the improvement of the process. A2 also used to visit the office in this aspect. So according to the prosecution, all the three persons joined together, conspired and fabricated this document.

3.Heard both sides.

4.As stated above, the main allegation is against A3, who uploaded the document for the purpose of getting the legal heirs certificate as mentioned above. The death certificate of Periasamy was found to be forged.

5.According to A1 namely Dineshkumar, he uploaded the document by A3 without knowing, whether the document is



forged one or not. Since A3 is the beneficiary of the above said issue, this petitioner being a person, who uploaded the document may not have any benefit by forging the above said document, A3 appears to have involved in this matter by fabricating the death certificate of the above said person Periasamy, the husband.

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6. So considering the limited role that has been allegedly played by this petitioner, he is entitled to the relief of bail, considering the duration of the custody and major portion of the investigation would have been over now.

7. When the matter was taken up for hearing, the learned counsel appearing for the petitioner would submit that bangle wearing ceremony of the petitioner's wife is going to be performed on 17/12/2021 (Friday).

8. Considering the above request, the petitioner is directed to be released on bail immediately on executing his own bond for a sum of Rs.10,000/- (Rupees Ten thousand only) to the satisfaction of the District Jail Authorities, Virudhunagar. Subsequently, within 10 days the petitioner must appear before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District and 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 Judicial Magistrate and on further condition that the petitioner shall report before the respondent police daily at 10.00 am until further orders.

sd/-

15/12/2021

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/ /2021

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE SUB INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION, SIVAKASI,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.19483 of 2021

Date :15/12/2021

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<https://hdcvce.siv.org.in/Tc/15/12/2021/3P/6C>