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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.608 of 2022

1. Murugan ...Petitioners
2. Arun

Versus

The State Represented by; ...Respondent
The Inspector of Police,
Marakkanam Police Station,
Villupuram District.
Crime No.465 of 2021.

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.465 of 2021 on the file of the respondent police.

For Petitioners : Mr.S.Prabudoss

For Respondent : Mr.A. Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 468, 471, 420 of IPC, in Crime No. 465 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had created forged documents and obtained crop compensation. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the co-accused has been released on bail in CrI.M.P.No.2748 of 2021 on 03.01.2022. Therefore, he prays for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the petitioners and others had created forged documents and obtained crops compensation from the Government. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

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5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate-II, Tindivanam (FAC), on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

-sd/-

12/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TINDIVANAM. (FAC), VILLUPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MARAKKANAM POLICE STATION,
VILUPURAM DISTRICT.

+1 CC to M/S. P.S.CHANDRA GUPTHAN Advocate on payment of
necessary charges SR.NO.854

CRL OP.608/2022

Date :12/01/2022

TA-01/02/2022