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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :07.03.2022

Pronounced on :10.03.2022

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.4691 of 2022

K.Mahendran

.. Petitioner/Accused

/versus/

The State rep.by
The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
(Crime No.55/2022)

..Respondent/complainant

Criminal Original Petition has been filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of their arrest or surrender in Crime No.55 of 2022 on the file of the respondent police.

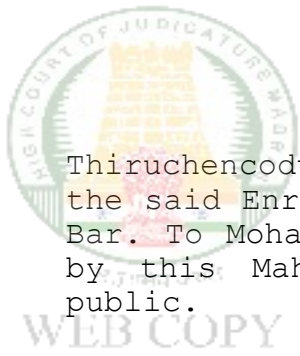
For Petitioner :Mr.A.J.Mohamed Kassim

For Respondent :Mr.S.Santhosh,
Government Advocate

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 419 and 420 of IPC in Crime No.55 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.On the complaint by the Secretary, Bar Association, Kumarapalayam alleging that one Mohanakrishnan posing himself as an Advocate enrolled at Bar Council and his Enrolment Number is 1360/2006, has filed several cases before the Courts in Erode,



Thiruchencodu and Kumarapalayam. On verification, it was found that the said Enrolment Number belongs to one Koothalingam of Thirunelveli Bar. To Mohanakrishnan, one Mahendiran is aiding and cases are filed by this Mahendiran through this Mohanakrishnan to cheat general public.

3.This petition is filed by Mahendiran, claiming innocence and he is also one of the gullible public, who believed that Mohanakrishnan is a Lawyer and entrusted his cases to him and also let his premises for rent to him to run his office. In fact, he is one of the victim of the crime.

4.The learned Government Advocate(Crl.side) submitted that the investigation conducted so far, indicates that this petitioner had engaged the said Mohankrishnan knowingly that he is not a person qualified to practise as a Lawyer or file vakalat, had engaged him in nearly 10 cases, both civil and criminal as petitioner or respondent. He has also given his premises to the said Mohanakrishnan to run the fake Advocate office. The investigation and statement of victims prima facie indicate that this petitioner is part of the fraud committed on Court and public. Therefore, custodial interrogation of this petitioner is necessary.

5.Taking note of the above objections and the list of cases in which the petitioner and his father has engaged the fake lawyer, this Court is of the opinion that custodial interrogation of this petitioner is necessary to unravel the fraud played by the impersonator. Hence, this Criminal Original Petition for anticipatory bail is dismissed.

-sd/-
10/03/2022

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 INSPECTOR OF POLICE,
KOMARAPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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+1 CC to M/S.A.J.MOHAMED KASSIM Advocate on payment of necessary
charges SR.NO. 3702

CRL OP.4691/2022

Date :10/03/2022

RW 16/03/2022