



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two
PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.7634 of 2022

1 KANNAN
2 NAGALINGAM

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
PEERKANKARANAI POLICE STATION,
KANCHEEPURAM DISTRICT.
CR.NO. 192/2018.

[RESPONDENT]

For Petitioner : M/S. D.MAGESH Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 420, 468, 471, 506(i) of IPC in Crime No.192 of 2018, on the file of the respondent police, seeks anticipatory bail.

2. This is a case where the petitioners are the witnesses to the disputed documents before this Court seeking anticipatory bail. The defacto complainant has alleged that his two sons have fraudulently obtained his signature in the disputed documents by misappropriation and infact the subject property was purchased in the name of his another son who is working abroad and the defacto complainant is the power of attorney.

3. Taking into note of the fact that this Court has granted anticipatory bail to the prime accused/ A1 and A2, as earlier in the year 2018. These petitioners are only signatory to the disputed documents as witnesses. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



4. Considering the submissions and facts of the present case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

WEB COPY

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Tambaram on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

07/04/2022

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.I, TAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 INSPECTOR OF POLICE,
PEERKANKARANAI POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. D.MAGESH Advocate on payment of necessary charges
sr.5384

CRL OP.7634/2022

Date :07/04/2022

RVR 18/04/2022