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CrI.O.P.No.16715 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 465, 467, 471, 420 and 511 IPC in Crime No.129 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused have forged the defacto complainant's bank cheque and presented it for collection, as if it was issued by the former Attorney General of India in favour of one of the accused and when the same was presented for collection, the defacto complainant bank found that the cheque itself was forged on. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Therefore, he prays to grant anticipatory



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bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has collected details from the bank and assisted other accused to commit the offence. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are totally nine accused in this case in which, the petitioner is arrayed as A6. Even according to the case of the prosecution the first accused fabricated the cheque as if issued by the former Attorney General of India and presented for collection. As far as the petitioner is concerned, who assisted the other accused persons to commit the offence In so far as the A2, A4, A5, A7 and A8 are concerned, they were arrested and released on statutory bail. Insofar as the A3 is concerned, this Court by an order dated 15.07.2022, granted anticipatory bail to A3 in Crl.O.P.No.16426 of 2022.

6. Considering the facts and circumstances, this Court is inclined



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to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate-VII, Coimbatore, 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 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 petitioner 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 petitioner shall report before the respondent police daily Morning at 10.30 a.m and Evening at 5.30 p.m for a period of four weeks thereafter as and when required for interrogation.



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[c] the petitioner shall not tamper with 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 absconds, a fresh FIR can be registered under Section 229A IPC.

19.07.2022

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