



Crl.O.P.No.32090 of 2022

Crl.O.P.No.32090 of 2022

WEB COPY

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 468 & 471 of IPC, in Crime No.391 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, at the time of joining as Sub Staff in Tirukoilur Cooperative Urban Bank Ltd., has produced the fake documents, as if he has passed the 10th standard. Based on the complaint given by the General Manager, Cooperative Urban Bank Ltd., the case in Crime No.391 of 2022 was registered for the offence under Sections 465, 468 & 471 of IPC. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and a false complaint has been lodged against the petitioner. He further submitted that the petitioner was studied in the Tutorial College and the college has furnished the mark sheet to the petitioner, which was produced by the petitioner before the bank at the time of joining. He also stated that the



Crl.O.P.No.32090 of 2022

educational qualification for the post of Sub Staff is 8th standard and there is no necessity to produce the bogus mark sheet. He also submitted that the petitioner is no way connected with the alleged offence and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that based on the complaint given by the General Manager, Cooperative Urban Bank Ltd., that the petitioner has produced the fake certificate while joining as Sub Staff in the said bank. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also



CrI.O.P.No.32090 of 2022

considering the fact that the petitioner is now working as the Assistant Manager in the said Bank and the documents were available with the de-facto complainant's office and there is no possibility of tampering the evidence, this Court is inclined to grant anticipatory bail to the petitioner 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, Tirukoilur, Kallakurichi**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 stands 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;



WEB COPY



CrI.O.P.No.32090 of 2022

T.V.THAMILSELVI,J.

ham

[b] the petitioner shall report before the respondent police, as and when required for interrogation;

[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.

23.12.2022



Crl.O.P.No.32090 of 2022

Crl.O.P.No.32090 of 2022