



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/03/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.358 of 2022

N.Muthuramalingam

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Central Crime Branch Police Station
(Anti Land Grabbing Special Cell),
Madurai, Madurai District.
Cr.No. 35 of 2021.

... Respondent/Complainant

For Petitioner : M/s.PALANI VELAYUTHAM.S,
Advocate.

For Respondent : Mr.M.MUTHUMANIKKAM,
Government Advocate (Crl.Side)

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

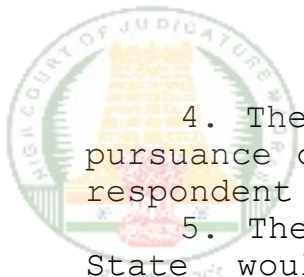
PRAYER :- For Anticipatory Bail in Crime No.35 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.8, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468 and 420 r/w 120(b)I.P.C., in Crime No.35 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a case has been registered for the alleged fake and fabrication of document, in which the petitioner, who is a document writer, helped the accused.

3. When the matter is taken up for hearing on 17.02.2022, considering the submission made by the learned Counsel for the petitioner that the petitioner could not able to appear before the respondent police as directed by this Court, due to his ill-health, this Court directed the petitioner to appear before the police on 25.02.2022.



4. The learned Counsel for the petitioner would submit that in pursuance of the said direction, the petitioner appeared before the respondent police on 25.02.2022 and also gave a statement.

5. The learned Government Advocate(Crl.Side) appearing for the State would submit that the petitioner appeared before the respondent police and gave a statement to the effect that he is only a document writer and there is no connection whatsoever with the alleged occurrence. He would further submit that the first accused was already granted anticipatory bail by the Principal Sessions Court, Madurai, that the second accused was already reported dead and that the fourth accused is still absconding.

6. Considering the nature of charges levelled against the petitioner and also the facts that the first accused was already granted anticipatory bail by the Sessions Court and that the petitioner is not having any previous case for similar offence, 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 his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Madurai, Madurai District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 at 10.30a.m., for period of 30 days and thereafter 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 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**



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

sd/-
03/03/2022

/ TRUE COPY /

WEB COPY

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH POLICE STATION
(ANTI LAND GRABBING SPECIAL CELL),
MADURAI, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.PALANI VELAYUTHAM.S Advocate SR.No.1723

**ORDER
IN**

CRL OP(MD) No.358 of 2022
Date : 03/03/2022

SA/VR/SAR.2/08.03.2022/3P/C