



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.7283 of 2022

Soundira Pandian

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No.89 of 2022.

... Respondent/Complainant

For Petitioner : Mr.J.Sulthan Basha,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.89 of 2022 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.2, who was arrested and remanded to judicial custody on 22.01.2022 for the offences punishable under Sections 170, 468, 471 and 472 of IPC, in Crime No.89 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant Sudharsan, Staff of Taluk Legal Services Authority lodged a complaint alleging that on 22.01.2022, two accused including the petitioner herein said to have committed the offence alleged and in so far as the petitioner is concerned, he is said to have applied for personal loan in State Bank of India with fabricated documents as if those documents were issued by Taluk Legal Services Authority.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that the Bank Authorities after seeing the alleged summons, they have lodged the complaint. He would further submit that the investigation is almost completed.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 22.01.2022 and also the facts that the investigation is almost completed as stated by the learned Additional Public Prosecutor and that the petitioner is not having any previous cases for similar or serious offence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Thiruvaiyaru.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

20/04/2022

/ TRUE COPY /

20/04/2022

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,
THIRUVAIYARU

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT,
SUB JAIL, PUDUKKOTTAI.

4 THE INSPECTOR OF POLICE
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-3563[I] dated
20/04/2022)

ORDER

IN

CRL OP(MD) No.7283 of 2022

Date :20/04/2022

DAS

MK/PN/SAR.IV/20.04.2022/3P/7C