



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

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PRESENT

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD). No.9213 of 2022

Subiramanian, ... Petitioner/sole accused

Vs

State Rep by
The Inspector of Police,
District Crime Branch,
Kanyakumari District,
Nagercoil. ... Respondent/Complainant
Crime No.22 of 2022

For Petitioner : Mr.D.Rameshkumar
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl. side)

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

PRAYER :-

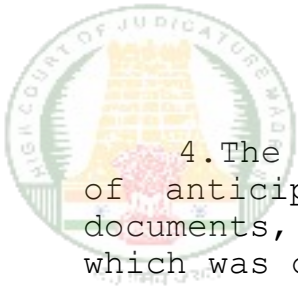
For Anticipatory Bail in Crime No.22 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 468 and 471 IPC, in Crime No.22 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is said to have withdrawn the amount of Rs.1,84,000/- deposited by the defacto complainant's father, by creating forged documents.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent persons and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail on the ground that by giving the false documents, the petitioner withdrew the amount of Rs.1,84,000/-, which was deposited by the defacto complainant's father.

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5. The learned counsel for the petitioner further submits that the defacto complainant and his brothers appeared before the Bank Officials and by submitting notary attested copy, they received the deposited amount equally. Therefore, he prays for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Cr.No.22 of 2022 before the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari District, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to his rights and contentions before the trial Court;

[c]the petitioner shall report before the respondent police on every Monday and Saturday at 10.30 a.m. for a period of three months and as and when required for interrogation.

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]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]**.

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

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TO

1. The Judicial Magistrate No.I,
Nagercoil, Kanyakumari District.
2. Do Through The Chief Judicial Magistrate,
Kaniyakumari District at Nagercoil.
3. The Inspector of Police,
District Crime Branch,
Kanyakumari District,
Nagercoil.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.9213 of 2022
Date : 18/05/2022

TR/VR/SAR-IV(23.05.2022) 3P 5C