



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/05/2022
PRESENT

THE HON'BLE MRS JUSTICE T.V.THAMILSELVI

CRL OP(MD) . No.9378 of 2022

S.Sivalingam

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Kallikudi Police Station,
Madurai District.
Crime No.65 of 2022

... Respondent/Complainant

For Petitioner : Mr.K.ANNA
Advocate.

For Respondent : Mr.B.NAMBI SELVAN,
Additional Public Prosecutor

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

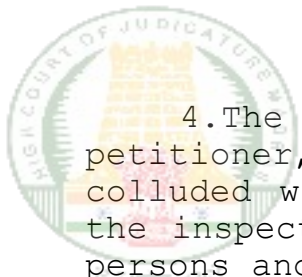
PRAYER :- For Anticipatory Bail in Crime No.65 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 468, 471, 120(B) IPC, in Crime No.65 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.04.2022, at about 8.00 a.m., a Revenue Official Team led by Tahsildar of Kallikudi Taluk, conducted an inspection in a room, wherein, they found original birth and death registers of five villages and also seized 12 forged pattas in the naem of villages of Chinna Ulagani.

3. The learned counsel appearing for the petitioner submits that the petitioner is a retired Village Administrative Officer and he has been falsely implicated in this case based on the confession statement of the first accused. He further submits that A1 was already arrested and subsequently, released on bail. A2 has also been granted anticipatory bail. Since the petitioner is aged about 65 years, he prays for grant of anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor submits that the petitioner, who is a retired Village Administrative Officer, colluded with A1 and A2 and created bogus patta documents. During the inspection, the revenue officials caught red-handed the accused persons and seized all the bogus patta documents.

5. Considering the facts and circumstances of the case and since the petitioner is a retired Village Administrative Officer, there is no possibility of absconding and tampering with the evidence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Thirumangalam, 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 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.1,00,000/- (Rupees one lakh only)** to the credit of Cr.No.65 of 2022 before the learned Judicial Magistrate, Thirumangalam, 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. If the petitioner fails to deposit the said amount, the anticipatory bail granted to the petitioner will be cancelled.

[c] the petitioner shall report before the respondent police daily 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.

[f] 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]**.

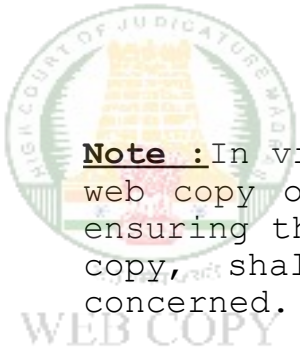
sd/-

18/05/2022

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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
THIRUMANGALAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KALLIKUDI POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 cc to Mr.S.ASHOK, Advocate, SR.No.5013

ORDER

IN

CRL OP(MD) No.9378 of 2022

Date :18/05/2022

SA/VR/SAR.4/23.05.2022/3P/6C