



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 15.06.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10618 of 2022

Sakthi Annamalai

... Petitioner/Accused No.4

Vs

State represented by
The Inspector of Police,
District Crime Branch,
Madurai.
(Crime No.37 of 2020)

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandiyan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.37 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471, 406 and 420 IPC, in Crime No.37 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused had created forged documents including a life certificate. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the defacto complainant, who is the owner of the property, had executed power of attorney in favour of the first accused and subsequently cancelled the power of attorney and that the first accused suppressing the same had executed a sale deed in favour of the second accused and without verifying the records, the present



petitioner had issued bogus life certificate. He would further submit that the accused 1 and 2 were already granted interim anticipatory bail and the matter was referred to mediation.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the mediation was ended in failure. He would further submit that the interim order was subsequently made absolute on 22.02.2021.

5. Considering the above facts and circumstances and also the facts that the accused 1 and 2 were already granted anticipatory bail and that the petitioner is not having any previous cases for similar offence or serious offence, 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 No.I, Madurai, 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 report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the 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 229-A IPC.

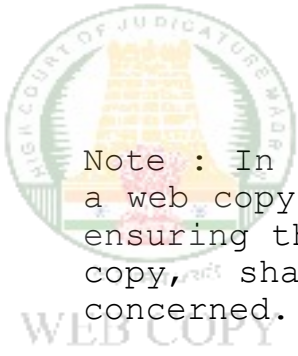
Sd/-

15/06/2022

/ TRUE COPY /

21/06/2022

Sub-Assistant Registrar (C.S.II)
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.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.KARUPPASAMY PANDIYAN G Advocate SR.No.5622

ORDER
IN
CRL OP(MD) No.10618 of 2022
Date :15/06/2022

SP/JM/SAR II/21/06/2022/3P/6C