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

Date : 18.08.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.11999 of 2022

M.Vicknesh @ Vignshwaran

... Petitioner/Accused-8

Vs

The State through its
The Inspector of Police,
District Crime Branch,
Sivagangai District.
(Crime No.18 of 2022)

... Respondent/Complainant

For Petitioner : Mr.A.S.Krishnan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side).

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

PRAYER :-

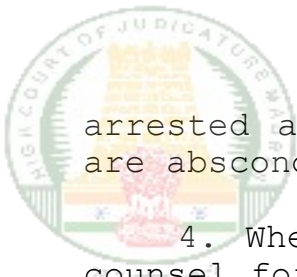
For Anticipatory Bail in Crime No.18 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 408, 468, 471, 420 and 120B IPC, in Crime No.18 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused, who were working as employees in the Muthuoot Fin Corp, Madapuram Branch, had created forged documents and obtained education loan and emergency loan in the name of their customers by misusing the personal date of the company and swindled the money to the tune of Rs.51,55,260/-. Hence, the complaint.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the accused 1 and 3 were



arrested and they are still in judicial custody and other accused are absconding.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner would submit that the petitioner is ready to deposit Rs.5,00,000/- into the Court and he has filed an undertaking affidavit sworn by the petitioner.

5. Considering the above facts and circumstances and also the fact that the petitioner is not having any previous cases for similar offence or serious offence and also taking note of the undertaking affidavit filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs only)** before the learned Judicial Magistrate No.II, Sivagangai, Sivagangai District, to the credit of Crime No.18 of 2022 on the file of the respondent police without prejudice to his rights and contentions.

7. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivagangai, Sivagangai 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 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.

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Sd/-
18/08/2022

/08/2022

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

CSM

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.II,
SIVAGANGAI, SIVAGANGAI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11999 of 2022
Date :18/08/2022