



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/06/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.13556 of 2021

Ganapathy

... Petitioner/3rd Accused

Vs

The State rep.by,
The Inspector of Police,
Puliampatti Police Station,
Thoothukudi District.
(Crime No.58 of 2021)

... Respondent/Complainant

For Petitioner : Mr.T.Selvan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.58 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471, 420, 506(i) and 120(B) IPC, in Crime No.58 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The allegation against this petitioner is that this petitioner along with his brothers, forged the office seal of the Village Administrative Officer and other documents, pertaining to the property situated in S.No.718 A/1, measuring about 0.09.0 Ares. Based upon the complaint given by the Village Administrative Officer, the case has been registered.

3.The learned counsel for the petitioner submitted that the petitioner is not the beneficiary of the claim, only the fourth accused is the real beneficiary. Even as per FIR, the first and second accused went to the office of the defacto complainant and made a request to issue joint patta and adangal and from there, they forged the office seal of the defacto complainant. He would further submit that this Court had also granted an interim anticipatory bail to the petitioner.



4.The learned Additional Public Prosecutor submitted that this Court on 04.01.2022, directed the petitioner to appear before the respondent Police. In pursuance of the above said direction, the petitioner appeared before the respondent Police and gave a statement that he was not a beneficiary. The first accused and her brother requested him to attend the Sub Registrar's Office, wherein he signed the document, believing the words of the first accused. Only at that time he was informed that the alleged certificate was a forged one.

5.Considering the above said statement as well as the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Kovilpatti on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

8.Accordingly, interim anticipatory bail that has been granted by this Court vide order dated 01.10.2021 is made absolute.

sd/-

28/06/2022

/ TRUE COPY /

/07/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PULIAMPATTI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.13556 of 2021

Date :28/06/2022