



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 04/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

WEB COPY

CRL OP(MD) No.12792 of 2021

A.ABDUL NAZEER

... PETITIONER / ACCUSED No.12

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION,
THENI DISTRICT.
CR.NO.586 OF 2021

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.BALAJI, Advocate

For Respondent : Mr.RMS.SETHURAMAN, Additional Public Prosecutor

For Intervenor : Mr.R.KARUNANITHI, Advocate

PRAYER :- For Anticipatory Bail in Crime No.586 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A12 apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 465, 468, 471, 409, 120(B) and 506(i) IPC, in Crime No.586 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The petitioner is facing the charges under sections 406, 420, 465, 468, 471, 409, 120(B) and 506(i) IPC.

3.Heard both sides.

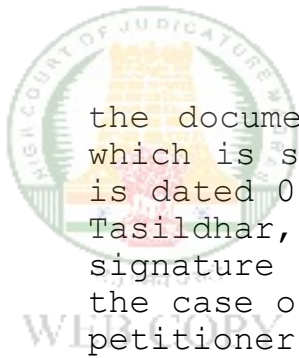
4.The entire CD filed has been called for and perused.

5.During the course of argument, the learned Additional Public Prosecutor would submit that this petitioner was also doing real estate business, apart from doing regular work as Deputy Tashildhar in Theni.

6.According to the learned counsel appearing for the petitioner, the petitioner is no way involved in the above said occurrence and in fact, his signature has been forged by the other accused persons in the disputed document.

7.Now the case of the de-facto complainant is that as mentioned above, this petitioner alleged to have verified the genuineness of

<https://hcservices.ecourts.gov.in/hcservices/>



the document, which was standing in the name of one Umamaneswari, which is stated to be a house site patta and this disputed document is dated 05/09/2019, which bears the seal of the Headquarters Deputy Tasildhar, Andipatti, apart from the Government Seal, we find the signature of the Headquarters Deputy Tasildhar and as stated above, the case of the prosecution, the disputed document was shown to this petitioner, he verified the genuineness of the same. But according to the petitioner, the document is a forged one, as stated above and it does not bear his signature. His signature has been forged by the accused persons.

8. When comparing the signature of the petitioner found in the Vakalath and in the petition with that of the signature found in the disputed document, it is seen that both of them does not tally. It is a clear case of forgery and fabrication of government records. Whether this petitioner is actually involved in the above said crime or not is a matter for investigation.

9. As per the order of this court, this petitioner also appeared before the respondent police and gave a statement to the effect that he has not involved in the occurrence and his signature has also been forged by the other accused persons. Totally more than Rs.75 Lakhs is involved in the occurrence. But when the petitioner says that his signature has been fabricated in the document and who forged the same is brought to light only during the course of investigation.

10. Considering the limited role that alleged to have been played by this petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Andipatti, Theni and on his executing 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 once in 15 days at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 will stand dismissed.

sd/-
04/02/2022

/ TRUE COPY /

/ /2022
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,
ANDIPATTI, THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ANDIPATTI POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.12792 of 2021

Date :04/02/2022

SA/PN/SAR.1/17.02.2022/3P/5C