



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

Date : 11/11/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.19958 of 2022

Gopala Krishnan

... Petitioner/Accused (Sole)

Vs

The State Rep. By,
The Inspector of Police,
Virudhunagar Bazar Police Station,
Virudhunagar District.
(Crime No.101 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian R.L.,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.101 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 409, 417, 465 and 466 IPC, in Cr.No.101 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's signature was forged by the accused persons. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner has forged the de-facto complainant's signature, given a renewal certificate to the medical shops and cheated the



Government and misappropriated a sum of Rs.39,180/-. The petitioner further submit that no previous case is pending against the petitioner and twelve witnesses have been examined and the investigation is still pending. Hence, he prayed for dismissal of this petition.

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5. Considering the facts and circumstances of the case and also considering the facts that twelve witnesses have been examined and the petitioner is not having any bad antecedents, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Fast Track Mahila Court, Virudhunagar District, 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 respondent Police or to the Police Officer, who intends to arrest or 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am until further orders.

(c) the petitioner shall not tamper with 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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/11/2022

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



TO

1. THE JUDGE,
FAST TRACK MAHILA COURT,
VIRUDHUNAGAR DISTRICT.
2. THE INSPECTOR OF POLICE,
VIRUDHUNAGAR BAZAR POLICE STATION,
VIRUDHUNAGAR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19958 of 2022

Date :11/11/2022

sj i

USK/SSS/SAR-I/18.11.2022/3P/4C