



Crl.O.P.No.14125 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 120B, 465, 468, 471 & 420 IPC in Crime No.76 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that there is nothing stated about the petitioner in the FIR allegations and he has been falsely implicated in Crime No.76 of 2022, on the file of the respondent police. Thus, he seeks for grant of anticipatory bail for the petitioner.

3. In response, the learned Government Advocate (Crl.Side) submitted that defacto complainant is a Chair person of Sivakasi Town Panchayat. During the course of his routine work, it was found from the documents produced by one Mohan, that her signature was forged in a building permission plan and the Engineer name was found as V.Palanisamy. It was also found that the building plan was forged and fabricated. When enquired the accused Govindaraj and Muthulakshmi,



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who applied for home loan, they informed that Engineer Sugumar made arrangements for getting building permission plan. In the said circumstances, FIR was registered. As per the role of the petitioner is concerned, he was responsible for creating stamp and seal.

4.This Court finds that though FIR was registered on 21.06.2022, respondent police has not evinced any interest in arresting any of the accused. As a result, other accused got anticipatory bail. In the said circumstances, in order to move the case forward, this Court is inclined to grant anticipatory bail to the petitioner. Therefore, 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 on which the order copy made ready, before **the learned Judicial Magistrate, Kodumudi**, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail



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shall stand dismissed and on further condition 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 everyday at 10.30 a.m., 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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19.07.2023



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