



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

Date : 18.04.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.7061 of 2023

Padmanabhan

... Petitioner/Accused A-1

Vs

The Sub Inspector of Police,
DCB Police Station,
Dindigul District.

... Respondent/Complainant

For Petitioner : Mr.E.Mohammed Abbas
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.41 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 467, 471, 474 IPC in Crime No.41 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner joined duty as Office Assistant on 06.06.1985 at District Social Welfare Office, Virudhunagar. Thereafter, on the basis of documents submitted by the petitioner, he was promoted as Junior Assistant on 20.05.1994 at the same office and thereafter, he got gradual promotions and finally the petitioner was worked as Superintendent. It was found that SSLC mark sheet filed by the petitioner before the department is not issued by the Education Department and also the birth of the petitioner stated in the Gazette for the name



change "M.Padnanaban" instead of "M.Palchinnappan" filed by the petitioner differ with original documents and thereby cheated the Government and working from 01.09.2009 to 28.09.2022. Hence, the case.

3. Heard both sides and perused the materials available in the record.

4. It is seen that the petitioner produced forged document at the time of joining the Department on 06.06.1985. Therefore, now the petitioner suspended from the service and facing departmental proceedings. Therefore, custodial interrogation of the petitioner is not required in this case.

5. Considering the above facts and circumstances of the case, 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 on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.2, Dindigul 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 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, daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation;

[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].



CRL OP(MD)



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

sd/-
18/04/2023

/ TRUE COPY /

WEB COPY

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

gns

TO

1.The Judicial Magistrate No.2,
Dindigul.

2.Do through the Chief Judicial Magistrate,
Dindigul.

3.The Sub Inspector of Police,
DCB Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.MOHAMMED ABBAS.E, Advocate (SR-6011[I] dated
18/04/2023)

ORDER

IN

CRL OP (MD) No.7061 of 2023

DATE : 18.04.2023

NA/CG/SAR-2/28.04.2023/3P/6C