



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.03.2023

WEB COPY

PRESENT

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

CRL OP(MD)No.11054 of 2022

M.Kumaravel

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
District Crime Branch,
Thoothukudi,
Thoothukudi District.
(Crime No.19 of 2020)

... Respondent/Complainant

For Petitioner : Mr.S.Palani Velayutham, 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.19 of 2020 on the file of the Respondent Police.

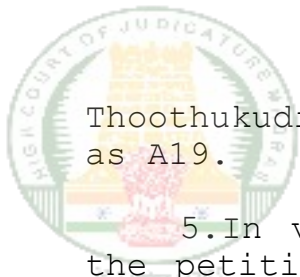
ORDER : The Court made the following order :-

The petitioner/A19, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 419, 465, 467, 468, 471, 420 r/w 120 (b) IPC in Crime No.19 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused created forged power of attorney and availed loan from the bank. Hence, the case.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation in this case has been completed and charge sheet also laid, which was taken on filed in C.C.No. 974 of 2022 by the learned Judicial Magistrate No.4,



Thoothukudi. As far as the petitioner is concerned, he is as A19.

5. In view of the above submission, custodial interrogation of the petitioner does not require. Hence, 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.IV, Thoothukudi 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 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 learned Judicial Magistrate No.IV, Thoothukudi, daily at 10.30 A.M., for a period of four two weeks and thereafter, as and when required;

[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.

sd/-

09/03/2023

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

gns

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE NO.IV, THOOTHUKUDI DISTRICT.

2 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.PALANI VELAYUTHAM S, Advocate (SR-3981[I] dated
10/03/2023)

ORDER

IN

CRL OP(MD) No.11054 of 2022

Date :09/03/2023

RS/CG/SAR-1(21.03.2023) 3P 6C