



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/03/2023

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PRESENT

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

CRL OP(MD).No.12036 of 2022

P.Nanthakumar

... Petitioner/ACCUSED NO.2

Vs.

The State represented by
The Inspector of Police,
Andipatti Police Station,
Theni District.

(Cr.No.217 of 2022)

...RESPONDENT/COMPLAINANT

For Petitioner : Mr.R.Suriyanarayanan
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.217 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehending arrest at the hands of the respondent police for the offences punishable under sections 406 and 420 of IPC, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is doing Auto finance. The staff of the defacto complainant, namely, Karthick/A1 joined together with the petitioner herein and prepared forged RC Book, in which, they have received a sum of Rs.1,25,000/- in the name of Mahesh/A3 and Sivaraj/A4. Hence, the complaint.

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

<https://www.mhc.tr4gov.in/> It is seen that there are totally four accused and the



petitioner is arrayed as A2. The petitioner joined together with the first accused, prepared forged RC Book and received a sum of Rs.1,25,000/- in favour of A3 and A4. The learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit a reasonable amount as ordered by this Court.

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4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) to the credit of Crime No.217 of 2022 on the file of the learned Judicial Magistrate, Andipatti, Theni District, within a period of two weeks from the date of receipt of copy of this order and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Andipatti, Theni 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 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 10.00 a.m for a period of four 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]**; and;



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

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sd/-
15/03/2023

/ TRUE COPY /

/03/2022

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

To

- 1.The Judicial Magistrate, Andipatti, Theni District,
- 2.The chief judiical 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.

+1 CC to M/s.R.SURIYANARAYANAN, Advocate (SR-3941[I] dated 10/03/2023)

ORDER

IN

CRL OP (MD) No.12036 of 2022

Date :15/03/2023

KB/buc/SII (27.03.2023) 3P 6C