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

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD)No.12981 of 2023

K.Ramachandran

... Petitioner / Accused Rank not

known

Vs

State represented by
The Inspector of Police,
Central Crime Branch, Madurai.
Madurai District.
(In Crime No.34 of 2019)

... Respondent/Complainant

For Petitioner : M/s.R.Karunanidhi, Advocate

For Respondent : Mr.S.Manikandan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.34 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468 and 471 of IPC in Crime No.34 of 2019 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that defacto complainant who is working as Regional Transport Office in Madurai. He received an information that a whatsapp message that driving license can be obtained without education and physical presence. On verification, some fake driving license of the accused are found. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, seeks for the relief of anticipatory bail.

4. The learned Government Advocate (Crl.side) would submit that the petitioner's earlier anticipatory bail petition was dismissed as withdrawn.

5 . The crime is of the year 2019. The case against the accused is that by issuing the wrong passport and identity card, one of the officer of the Regional Transport Officer, Selvaraj has created a number of fake licence and sold the same to several persons for profit. So far as this petitioner is concerned, he is alleged by the Selvaraj that he also approached him for the same purpose and by receiving Rs.8,000/- each and supplied 25 license to the petitioner. Perusal of the CD file shows that some of the licenses have been recovered from the users sofar.

6. This petitioner is concerned, the learned counsel for the petitioner would submitted that he appeared several times before the investigating officer at that time, she verified all the license and found that nothing incriminating against him so



further action was taken. But however, from the CD file it is seen that the statement of petitioner being recorded. Since the co-accused has been granted either regular bail and anticipatory bail, as the case may be, this Court is inclined to grant anticipatory bail to the petitioner.

7. Considering the facts and circumstances of this case, and the fact that the co-accused have been released on bail, this Court is inclined to grant relief to the petitioner.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned **Judicial Magistrate No.1, Madurai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police, daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner must co-operate with the investigation and during the course of investigation, he must also disclose the fact regarding the availability or non availability of the licenses that has been obtained by him. He must also produced relevant records which was maintained by him at the time of doing brokerage.

9. The petitioner shall appear before the concerned Magistrate within a period



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of 15 days from the date on which the order copy made ready, failing which, the
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petition for anticipatory bail stands dismissed.

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/08/2023

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

PNN

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12981 of 2023
Date :21/07/2023

SS/MMS/02/08/2023/4P/5C