



CRL OP(MD). No.15607 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.15607 of 2023

R.Sundari

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur,
Theni District.
Crime No.368 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy Pandiyan M,
Advocate.

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.368 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 468, 471 and 420 IPC in Crime No.368 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner, who worked as Assistant in Chinnamanur in Tamil Nadu Electricity Board, Executive Engineer Office have given a fabricated original 10th Std., mark sheet. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and hence, prayed for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has given a fabricated 10th mark sheet as original and cheated and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the



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fact that the compared document by the police is not a original document and it is only a certified copy, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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, Uthamapalayam, 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 learned Magistrate concerned and on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court 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 on receipt of summons.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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/-
04/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO
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1.THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3. THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
CHINNAMANUR, THENI DISTRICT.

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

+1 CC to M/s.M.KARUPPASAMY PANDIYAN, Advocate (SR-14634[I] dated
04/10/2023)

ORDER
IN

CRL OP(MD) No.15607 of 2023

Date :04/10/2023

RK/DD (10/10/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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