



Crl. O.P. No.19649 of 2024

Crl. O.P. No.19649 / of 2024

WEB C P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offences under Sections 419, 465, 466, 468, 471 and 420 of IPC in Cr. No.6 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner who was working as Junior Bailiff in the Principal District Court and as per the complaint dated 13.11.2017 received from some unknown persons, the petitioner's name is Suganthi and she belongs to Vanniyar community, but the petitioner impersonated herself as Vennila and she belongs to Kurumbans community and by using the fake documents, she joined in the judicial department and based on the said complaint, enquiry was conducted and the allegations mentioned in the complaint were proved and subsequently, she was removed from service and hence the case.

3. The learned counsel appearing for the petitioner would contend that the petitioner is an innocent and she has not committed any offence and only after proper verification of documents submitted by the petitioner while applying to the post Dalayat, the petitioner was appointed as Dalayat



Crl. O.P. No.19649 of 2024

and the petitioner discharged her duty with utmost care and caution without any complaints and she was working as Junior Bailiff in the Principal District Court, Dharmapuri and she was removed from service vide proceedings dated 10.11.2023 and against which, she has preferred an appeal before this Court and the same is pending, that her pet name is Sugnathi, that she has not committed any offence as alleged in the FIR and hence he prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (criminal side) appearing for the State would submit that based on the complaint given by the defacto complainant stating that the petitioner has impersonated herself as Vennila and produced the fake certificates and joined in the judicial service, the case was registered by the respondent police, that during the course of investigation, the respondent police have sent a letter to the Principal District Court, Dharmapuri for obtaining the certified copies which were given by the accused at the date of joining and the same is pending and they have also addressed to the Revenue Divisional Officer, Dharmapuri, Head Master, Nallampalli Higher Secondary School, Village Administrative Officer, Northampalli to verify the certificates and details of accused, which is also pending, that the accused is still absconding, that



Crl. O.P. No.19649 of 2024

investigation is at preliminary stage, that custodial interrogation is essential to unearth the truth and hence if the anticipatory bail is granted to the petitioner, she would flee from the investigation and there is every possibility for tampering the witness and hence strongly objected to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions put forth on either side, considering the fact that the alleged occurrence was taken place in the year 1998 and the allegations are based on the records, thereby, no chance to tamper the investigation, that the disciplinary appeal is also pending and that there is no previous case against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Dharmapuri** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



Crl. O.P. No.19649 of 2024

two sureties each for a like sum to the satisfaction of the learned

Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every day at 10.00 a.m. until further orders.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 269 B.N.S.2023.



WEB COPY



Crl. O.P. No.19649 of 2024

02.09.2024

mjs

To

1. **The Judicial Magistrate No.II, Dharmapuri**
2. The Inspector of Police, District Crime Branch, Dharmapuri District.
3. The Public Prosecutor, High Court, Madras.

P.DHANABAL,J

mjs



WEB COPY



Crl. O.P. No.19649 of 2024

CRL O.P. No.19649 of 2024

02.09.2024