



Crl.O.P(MD)No.13382 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:24.09.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.(MD)No.13382 of 2024

K.Kathiresan

.. Petitioner

/versus/

The State rep.by Inspector of Police,
Karur Town Police Station, Karur.
Crime No.394/2024

Transferred to:
The State rep.by Inspector of Police,
CBCID, Karur District,
Crime No.1/2024

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent/complainant in Crime No.1 of 2024 pending investigation on the file of the respondent police.

For Petitioner	:Mr.R.John Sathiyar, Senior Counsel for Mr.C.Ramraj
For Respondent	:Mr.K.M.D.Muhilan Govt.Advocate (Crl.Side)

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Crl.O.P(MD)No.13382 of 2024

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 465, 467, 468, 471, 420, 353, 506(i) and 120-B of IPC in Crime No.1 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner states that as a professional, the petitioner on the instruction of his client, Sobana, had placed advertisement about loss of the document and assisted her professionally to get non traceable certificate and therefore, he has no knowledge about any of the crime as alleged in the complaint.

3. The learned Government Advocate (Crl.Side) states that though the document was very well in position of the father of Sobana to grab the property, the accused persons conspired to create the sale deed and for that purpose, this petitioner assisted by getting non traceable certificate of the document, which was very well available. The learned Government Advocate (Crl.Side) further submitted that the complaint



Crl.O.P(MD)No.13382 of 2024

before the Inspector of Police, Villivakkam regarding the missing of document and the issuance of non traceable certificate was infact suspected to be signed by the petitioner, as if the complaint is given by Sobana and investigation indicates that on the date of the said complaint to Villivakkam Police Station, the said Sobana was not in Chennai but at Coimbatore. The complaint given in the name of Sobana to the Villivakkam Police Station has now been subjected to handwriting expert opinion.

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

5. 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 is made ready, before **the learned Judicial Magistrate No.I, Karur;** on condition that the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees fifty 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



Crl.O.P(MD)No.13382 of 2024

WEB COPY

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 Investigating Officer daily at 10.00 until further orders.

[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



Crl.O.P(MD)No.13382 of 2024

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.

This Anticipatory bail order is subject to the outcome of the handwriting expert opinion. In case the opinion of the handwriting expert implicates the petitioner for forging the signature of Sobana, it is open to the respondent police to approach this Court for cancellation of bail.

24.09.2024

Index:yes/no
Neutral citation:yes/no

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To:

5/7



Crl.O.P(MD)No.13382 of 2024

WEB COPY

1.The Judicial Magistrate No. I, Karur.

2.The Inspector of Police, Karur Town Police Station, Karur.

Crime No.394/2024

Transferred to:

The State rep.by Inspector of Police,

CBCID, Karur District,

Crime No.1/2024

3.The Public Prosecutor,High Court, Madras.

DR.G.JAYACHANDRAN,J.

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WEB COPY



Crl.O.P(MD)No.13382 of 2024

Crl.O.P.(MD)No.13382 of 2024

24.09.2024