



CRL OP(MD). No.5739 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/04/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.5739 of 2024

Sundaramoorthy @ Musukku

... Petitioner / Accused No.4

Vs

The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.870 of 2022.)

... Respondent/Complainant

For Petitioner : M/s.Gurumoorthy.S, Advocate.
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.870 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence under Sections 353, 417, 419 and 420 IPC in Crime No.870 of 2022, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is one of the accused in CC No.323 of 2020, before the Judicial Magistrate Court No.II, Kumbakonam. The



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third accused in this case is in abroad. On 31.10.2022, when the above case was posted for hearing before the Judicial Magistrate Court No.II, Kumbakonam, at the instigation of the petitioner and other accused one Abishek has impersonated himself as the third accused in CC No.323 of 2020. Based on the complaint of the Bench Clerk of the concerned Court, a complaint has been registered.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent submits that at the instigation of the petitioner and other accused, one Abishek has impersonated as the third accused in CC No.323 of 2020 and appeared before the trial Court.

5.This offence appears to have spoiled the sanctity of the judicial process. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
16/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To



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1.The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.5739 of 2024

Date :16/04/2024

ED/ VR /SAR- (23/04/2024) 3P / 3C

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