



CRL OP(MD). No.7521 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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Dhandapani,

... Petitioner/ Accused No.1

Vs.

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

Crime No.332/2024).

... Respondent/Complainant

For Petitioner : Mr.V.Muthu Kamatchi,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PRAYER :- For Anticipatory Bail in Crime No.332/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is the accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420, 323 and 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act in Cr.No.332 of 2024, on the file of the respondent police and hence, seeks anticipatory bail.



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2.The case of the prosecution is that one Dhandapani and his friend Saravanan, who is the petitioner herein, fabricated the document and issued a legal notice on 13.12.2023 to settle the loan amount of Rs.3,50,000/-. The petitioner and Saravanan were demanded exorbitant interest and they forged the defacto complainant's signature in the promissory not Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that based on the directions of the Magistrate under Section 156 (3) Cr.P.C, the case has been registered and the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 respondent police daily at 10.30 am 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 released on bail by the



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

LS

TO

1 THE JUDICIAL MAGISTRATE NO.I
KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR DISTRICT.

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

+1 CC to M/s.V.MUTHU KAMATCHI, Advocate (SR-7435[I] dated 04/07/2024)



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ORDER
IN
CRL OP(MD) No.7521 of 2024
Date :04/07/2024

SS/GS/SAR- /18/07/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023