



CRL OP(MD). No.8082 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/06/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.8082 of 2024

K.Raja

... Petitioner / Accused No.1

Vs

The State represented by
The Inspector of Police,
Koodalpudhur Police Station,
Madurai City,
Crime No.236 of 2021.

... Respondent / Complainant

For Petitioner : M/s.P.Muthusamy, Advocate

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.236 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused No.1, apprehending arrest at the hands of the



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respondent police for the alleged offences punishable under Sections 406, 465, 468, 471 of IPC and 12(1)(b) of Passport Act, 1967, in Crime No.236 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant married the petitioner on 13.06.2013 and they were blessed with two children. Due to some misunderstanding, the defacto complainant's husband left her and their children. Therefore, the defacto complainant went to her parental home. The petitioner along with the second accused had taken passport in the name of the defacto complainant without her knowledge by using her certificate and also by forging her signature. Therefore, the present complaint came to be registered.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent. He has not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.side) would submit that the earlier applications of the petitioner was dismissed and also dismissed as withdrawn, by considering the grievous nature of the allegations.



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5. Considering the grievous nature of the allegations, the application that was filed by the petitioner in Crl.O.P.(MD)No.6670 of 2021 was dismissed as early as on 03.06.2021. Subsequently, another application was filed in Crl.O.P.(MD)No.2899 of 2022. It was dismissed as withdrawn and this is the third application filed without any change in circumstances. It is a case of forgery obtaining passport in the name of the defacto complainant. Such a serious nature of the allegations requires proper custodial interrogation. I find absolutely no reason to entertain this petition. The petitioner must undergo custodial interrogation or to surrender before the concerned authority and seek regular bail.

6. In view of the above said reasons, this Court is not inclined to grant relief to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-

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/07/2024

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

PNN



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TO

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- 1 THE INSPECTOR OF POLICE
KODALPUDHUR POLICE STATION, MADURAI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.8082 of 2024
Date :13/06/2024

SS/JGB/SAR- /12/07/2024/4P/3C

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