



CRL OP(MD). No.7975 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.7975 of 2024

Kalaiyarasi,

... Petitioner/ Accused No.13

Vs

The Inspector of Police,
Economic Offence Wing, Thoothukudi,
Thoothukudi District, Cr.No.1/2024.

... Respondent/ Complainant

For Petitioner : M/s.Rajiv Rufus.V, Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Cr.No.1/2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 409, 420, 467, 468, 471, 477A and 34 IPC in Crime.No.1 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein and other accused have created forged the documents and purchased the properties and thereby, caused heavy loss to the exchequer government. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that now, the document has been cancelled.

4.The learned Additional Public Prosecutor would submit that the document has been cancelled and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that now the document has been cancelled, 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 on 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.II, Thirunelveli, Thirunelveli District 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, as and when required for interrogation;

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



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Court 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/-
25/07/2024

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/08 /2024
Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.II, THIRUNELVELI,
THIRUNELVELI DISTRICT

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
ECONOMIC OFFENCE WING, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-8871[I] dated 29/07/2024)



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ORDER
IN
CRL OP(MD) No.7975 of 2024
Date :25/07/2024

PSP/JGB/SAR /05.08.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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