



CRL OP(MD). No.8656 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

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Vairamuthu

... Petitioner/ Accused No.6

Vs

The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.156/2024)..

... Respondent/Complainant

For Petitioner : Mr.Lakshmi Gopinathan, Advocate for
M/s.Polax Legal Solutions,
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 Crime No.156/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 120B, 420, 467, 468 and 469 and 471

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of IPC, in Cr.No.156 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused created the forged documents for registration. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false case foisted against the petitioner and he has not committed any offence as alleged by the prosecution. He further submitted that this Court has granted anticipatory bail to the co-accused in CrI.O.P(MD).No.7609 of 2024. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with the other accused persons created the forged document for registration and also submits that so far six witnesses have been examined and the investigation is still pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, 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, Sivakasi, 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 a.m., until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(d) the petitioner shall not abscond either during investigation or trial;

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(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 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/-
12/07/2024

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/07/2024

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

TTA
TO

1 THE JUDICIAL MAGISTRATE NO.I
SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



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3 THE INSPECTOR OF POLICE
SIVAKASI TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8656 of 2024
Date :12/07/2024

SS/GS/SAR- /30/07/2024/5P/5C

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