



CRL OP(MD). No.10443 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/07/2024

PRESENT

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

CRL OP(MD). No.10443 of 2024

Paulthangam

... Petitioner/ Accused No.9

Vs

The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District
(Crime No. 139/2024.)

... Respondent/Complainant

For Petitioner : M/s Perumal.C.T, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No. 139 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A9, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 468, 469, 470, 471, 472, 417 & 420



CRL OP(MD). No.10443 of 2024

IPC in Cr.No.139 of 2024 on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that A1 to A5 have fabricated a fake Non Traceable Certificate as if issued by the respondent police station. A6 to A9 are in the habit of fabricating Non Traceable Certificate as if issued by the Police Department for those who have lost their original certificate, after receiving money. Hence, the complaint.

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

4. The learned Government Advocate (criminal side) for the respondent police has strongly opposed to grant anticipatory bail to the petitioner. He would further submit that the petitioner is having one similar case.

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

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, Boothapandy, 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



CRL OP(MD). No.10443 of 2024

WEB COPY

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 is directed to deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of the said crime number within a period of two weeks without prejudice to his rights and contentions before the trial Court.

(b) 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;

(c) the petitioner shall report before the respondent police weekly once i.e., every Saturday at 10.30 a.m until further orders;

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

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

(f) 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;



CRL OP(MD). No.10443 of 2024

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

sd/-
18/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

1.The Judicial Magistrate,
Boothapandy.

2.Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Boothapandy Police Station,
Kanyakumari District.

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

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-8158[I] dated 19/07/2024)

ORDER
IN
CRL OP(MD) No.10443 of 2024
Date :18/07/2024



CRL OP(MD). No.10443 of 2024

ED/JGB /SAR- (29/07/2024) 5P / 6C

WEB COPY

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