



CRL OP(MD). No.16120 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16120 of 2024

Sadiq Manzoor

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
District Crime Branch (DCB),
Kanniyakumari District
(Crime No.47 of 2021)

... Respondent/Complainant

For Petitioner : Mr.K.Vamanan, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.47 of 2021 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 police for the offences punishable under Sections 420, 465, 466, 468 and 471 of IPC, in Crime No.47 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that after the death of the petitioner's wife,
<https://www.mhc.tn.gov.in/judis>



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when one of the petitioner's children was given in adoption to the sister in-law and family, the petitioner and the other accused indulged in getting a fake birth certificate of the child. Hence, this case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the fact that already the other accused has been granted anticipatory bail, I am inclined to enlarge the petitioner on anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his 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.I, Nagercoil, 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. for a period of two weeks and thereafter, as and when required for the interrogation.



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

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

sd/-
25/09/2024

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/10/2024

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

mkn
TO

1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH (DCB)
KANNIYAKUMARI DISTRICT.



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

+1 CC to M/s.K.VAMAMAN, Advocate (SR-11805[I] dated 26/09/2024)

ORDER

IN

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Date :25/09/2024

RS/MMS/SAR-(03.10.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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