



CRL OP(MD). No.16788 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16788 of 2024

C.Rajasekaran

... Petitioner/ Accused No.4

Vs

State of Tamil Nady rep by,
The Inspector of Police,
District Crime Branch,
Madurai District.
(In Crime No.7 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.C.Susi Kumar
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.7 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police

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for the offences punishable under Sections 419, 420, 465, 467, 468, 471 and 506(i) of IPC, in Crime No.7 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner was working as Joint Sub-Registrar-I, District Registrar, Madurai South, Madurai in the year 2010. The other accused are said to have impersonated the defacto complainant and executed the documents in favour of the third parties fraudulently by forging and creating the documents. The petitioner herein has registered the above said forged deed by knowing the fact that the documents submitted before him are forged one. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations that the petitioner and the other accused are said to have impersonated the defacto complainant and executed the documents in the year 2010 and considering the fact that the petitioner is said to be the Sub-Registrar, who worked at that relevant point of time and considering the fact that the petitioner has retired from service, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. 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.1, Madurai, 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 three weeks and thereafter, 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;



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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/-
03/10/2024

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/10/2024
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. THE JUDICIAL MAGISTRATE NO.1, MADURAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, MADURAI DISTRICT.

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

+1 CC to M/s.SUSI KUMAR.C, Advocate (SR-12237[I] dated 04/10/2024)

ORDER
IN
CRL OP(MD) No.16788 of 2024
Date :03/10/2024

RK/MMS(17/10/2024) 5P / 6C

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