



CRL OP(MD) No.18462 of 2023

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

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.18462 of 2023

A.PANDIYARAJAN

... PETITIONER/ SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION,
PALANICHETTIPATTI,
THENI DISTRICT.
CRIME NO. 450 OF 2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KARUPPASAMY PANDIYAN M Advocate

For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO. 450 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for
the alleged offence under Sections 468, 472, 420 of IPC in Crime No.450 of 2023, seek

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CRL OP(MD) No.18462 of 2023

anticipatory bail.

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2.The case of the prosecution is that the petitioner worked as Supervisor in Tamil Nadu Electricity Board Executive Engineer Office. The petitioner was appointed as helper in the year 1996. At that time, the petitioner produced his 10th and 12th standard marksheets. On verification, the petitioner's 12th marksheet is fabricated one. Thereby, he was suspending from service and the respondent Police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The petitioner was appointed in Office Assistant grade based on his 10th marksheet. Only the basic qualification for the post of Office Assistant is 10th standard. After lapse of 27 years, they made a complaint stating that 12th marksheet produced by the petitioner is fabricated one. Hence, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there are no previous cases against the petitioner. Hence, he

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CRL OP(MD) No.18462 of 2023

opposed to grant anticipatory bail to the petitioner.

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5. The petitioner was appointed in the Board in the year 1996. But the present complaint is registered only in the year 2023. The petitioner was entered as Office Assistant, for which, the basic qualification is 10th standard only. There is no question of 12th marksheet.

6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is granted anticipatory bail and he 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 Court, Theni, Theni 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a

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CRL OP(MD) No.18462 of 2023

period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 once in a week, i.e., on every Monday at 10.30 a.m., for the period of four weeks and thereafter, he shall appear before the respondent Police as and when required;

(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.18462 of 2023

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

sd/-
02/01/2024

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/01/2024

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

INDU

TO

1.THE JUDICIAL MAGISTRATE , THENI, THENI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.

3.THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION,
PALANICHETTIPATTI, THENI DISTRICT.

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

+1 CC to M/s.M.KARUPPASAMY PANDIAN, Advocate (SR-49[I] dated
03/01/2024)

ORDER
IN

CRL OP(MD) No.18462 of 2023
Date :02/01/2024

RK/DD (05/01/2024) 5P / 6C

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