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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19701 of 2024

1.Vivekananthan

2.Appakannu

3.Karunakaran

4.Yogaraj

5.Kumar

... Petitioners/ Accused 2 to 6

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Adirampattinam Police Station,

Thanjavur District.

(Crime No.61 of 2021)

... Respondent/Complainant

For Petitioners : Mr.K.Sankar,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)



For Anticipatory Bail in Crime No.61/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 381, 406, 420, 465, 467, 468, 471, 120-B and 506(1) of IPC, in Crime No.61 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that a trust was being run for the mentally disordered children. It used to be run by the defacto complainant and one Sheik Abdulla. The said Sheik Abdulla is said to have signed in 6 blank cheques and handed it over to the wife of the defacto complainant. He later died. These cheques were filled up and money was taken away from the bank. The other accused persons conspired with A1 and committed this offence. There are totally 6 accused persons in this case and the petitioners have been arrayed as A2 to A6.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the signature found in the cheques were found to be the signature of the deceased Sheik Abdulla and the case is borne out by documents and

may not require custodial interrogation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Pattukottai, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall appear before the respondent police on every Monday and Friday at 10.30 a.m. for a period of 8 weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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

<https://www.mhc.tn.gov.in/judis>

law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023. IPC.

sd/-
19/11/2024

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRTE,
PATTUKOTTAL.
- 2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
ADHIRAMPATTINAM POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.19701 of 2024
Date :19/11/2024

MGJ(25.11.2024) 5P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023