



CRL OP(MD) No.22228 of 2023

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

Thursday, the Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22228 of 2023

SENTHILKUMAR

... Petitioner / Sole Accused

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH
THANJAVUR,
THANJAVUR DISTRICT.
(CRIME NO.28/2023.)

... Respondent / Complainant

For Petitioner : Mr.V.R.Thangavelu, Senior Advocate
for M/s.M.Suri, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.28/2023 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 463, 465, 466, 467, 468, 471 and 420 of IPC in



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Crime No.28 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner is doing stamp vending business. On 28.11.2022, a document was placed before the Principal District Court, Thanjavur, to refund the stamp papers. Later, on verification, it was found that the said stamp papers worth about Rs.59,000/- are fake and hence, a complaint has been preferred before the Law Enforcing agency by the Chief Administrative Officer of the Principal District Court, Thanjavur.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further, he submitted that the petitioner, without prejudice to his rights, is ready to deposit the amount a sum of Rs.59,000/- (Rupees Fifty Nine Thousand only) before learned Judicial Magistrate Court No.I, Thanjavur. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that investigation is pending. Hence, he made objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready to deposit Rs.59,000/- (Rupees Fifty Nine Thousand only) before learned Judicial Magistrate Court No.I, Thanjavur, without prejudice to



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his rights and contentions before the concerned Court, I am inclined to grant anticipatory bail to the petitioner.

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6. 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 No.I, Thanjavur, 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 period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the petitioner shall make a non refundable deposit of Rs.59,000/- (Rupees Fifty Nine Thousand only) to the credit of Crime No.28 of 2023 before the learned Judicial Magistrate No.I, Thanjavur, within a period of fifteen days from the date of receipt of copy of this order, without prejudice to his defence before the trial Court and the learned Judicial Magistrate, after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;



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(c) the petitioner is directed to not to do stamp vending business till completion of criminal case pending against him.

(d) the Inspector General of Registration, Chennai, is directed to pass appropriate orders suspending the license of the petitioner from doing stamp vending business.

(e) 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;

(f) the petitioner shall report before the respondent Police daily at 10.30 p.m., for a period of two weeks and thereafter, he shall appear before the respondent Police as and when required;

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

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

(i) 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;



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(j)if the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
04/01/2024

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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 No.I,
Thanjavur.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
District Crime Branch,
Thanjavur, Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Inspector General of Registration,
Chennai.

+1 CC to M/s.M.SURI, Advocate (SR-175[I] dated 04/01/2024)



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ORDER

IN

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Date :04/01/2024

ED/ JGB /SAR- (09/01/2024) 6P / 7C

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