



CRL OP(MD) No.23314 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.23314 of 2023

MANIKANDAN

... PETITIONER / ACCUSED No.14

Vs

THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
CRIME NO.35 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.ROBINSON, Advocate

For Respondent : Mr.P.KOTTAI CHAMY, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.35 OF 2014 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.14, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 406, 420, 465, 466, 467, 468,



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471 and 472 r/w 120 (b) of I.P.C., and subsequently altered into 406, 408, 420, 465, 466, 467, 468, 471, 472 r/w 120(b) of I.P.C. in Crime No.35 of 2014, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on verification of the files available with the Palayamkottai branch office of Sriram Transport Finance Company Limited, the *defacto* complainant found that there were some irregularities in granting loan to the customers and on perusal of files, he came to understand that by availing loans from the Sriram Transport Finance Company Limited, by forging the RTO Seal and signature as if the RTO had made an endorsement in the RC Book. After investigation, the respondent Police had filed a final report before the learned Judicial Magistrate No.I, Tirunelveli and the same was taken on file in C.C.No.338 of 2015. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The learned counsel appearing for the petitioner would further submit that the lower Court had granted anticipatory bail to the petitioner herein and the petitioner is not able to execute the sureties. However, the respondent Police implicated the present petitioner herein as an accused and accordingly, he prays for anticipatory bail.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that already the lower Court had granted anticipatory bail to the petitioner and the petitioner did not execute the sureties before the trial Court and subsequently, the respondent Police filed a charge sheet implicating the petitioner as an accused in this case before the lower Court. He would further submit that the present Anticipatory Bail Application is not maintainable, when the case is pending before the concerned Court. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner herein.

5. Considering the facts and circumstances of the case and also considering the fact that once charge sheet has been filed before the concerned Court, there is no question of granting anticipatory bail to the petitioner herein.

6. In view of the above, the Criminal Original Petition stands dismissed. However, liberty is granted to the petitioner to approach the appropriate Court for filing appropriate application.

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.

TSG



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TO
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- 1 THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.A.ROBINSON, Advocate (SR-102[I] dated 03/01/2024)

ORDER
IN

CRL OP(MD) No.23314 of 2023

Date :02/01/2024

SS/DD/SAR- /11/01/2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023