



CRL OP(MD). No.22317 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Esakkidurai

... Petitioner/Petitioner/
Accused Rank not known

Vs

The State of Tamil Nadu.,
Rep.By, the Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.566/2024).

... Respondent/Respondent/
Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :-

For Bail in Crime No.566 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 01.12.2024 for the offences under Sections 336 (2), 336(3) 341(1) and 318(4) of BNS, 2023 in Crime No.566 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the defacto complainant is a practising Advocate and he is a Notary Public. The allegation is that the accused persons prepared a fake stamp and seal as if the defacto complainant had notarized and signed in various documents and it was produced before the Cholamandalam Finance Company Limited for getting housing loan without the knowledge of the defacto complainant. There are totally two accused persons in this case and the petitioner has been arrayed as Accused No.1.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and

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considering the fact that the alleged fake notarized documents have been seized by the respondent Police and considering the fact that the petitioner has suffered incarceration from 01.12.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate, Tenkasi and on further conditions that:-

[a] 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 every Monday and Friday at 10.30 a.m., until further orders.

[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.

[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



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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].

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

sd/-
18/12/2024

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18/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. THE JUDICIAL MAGISTRATE, TENKASI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI.
3. THE OFFICER IN CHARGE, SUB JAIL, TENKASI.
4. THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TENKASI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.22317 of 2024
Date :18/12/2024

RK/ (18/12/2024) 5P / 6C

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