



CRL OP(MD). No.23148 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.23148 of 2024

C.Sethumani

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
represented by The Inspector of Police,
S.S.Kottai Police Station,
S.S.Kottai Village,
Thirupattur Taluk,
Sivagangai District.
(Crime No.110/2024)

... Respondent/Complainant

For Petitioner : Mr.K.Asrashifaya
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.110 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 419, 420, 465, 468, 471 of IPC and Sections 12(1)(a), 12(1)(b) and 12(1)(d) of Passport Act, in Crime No.110 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner travelled abroad by using his brother's passport, namely Murugesan, who was died in the year 1990 and he has fabricated the passport. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case based on the false complaint by the neighbour. He is ready to offer sufficient sureties and to abide any conditions imposed against him.

4. The learned Additional Public Prosecutor would submit that the petitioner obtained passport in the name of his deceased brother and travelled abroad, the



offences are grave in nature and investigation is at initial stage, thereby strongly opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of offences and even according to the prosecution that the occurrence was took place in the year 1997 to 2003 and the passport was also renewed in the year 2007 and thereafter, the complaint has been lodged by his neighbour and no previous case is pending against the petitioner and also considering all other factors, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate, Singampunari and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 A.M. for a period of thirty days (30 days) and thereafter, as and when required.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

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/01/2025

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

DAS
TO

1 THE JUDICIAL MAGISTRATE,
SINGAMPUNARI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3 THE INSPECTOR OF POLICE,
S.S KOTTAI POLICE STATION,
S.S. KOTTAI VILLAGE,
THIRUPATTUR TALUK,
SIVAGANGAI DISTRICT.

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



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ORDER
IN
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Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/5C

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