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CrI.O.P.No.371 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.01.2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 371 of 2025

R.Mathivanan
S/o. Rajagopal, (Aadhar No.), Licensed Document
Writer, No.50, Santhi Road, Mannargudi, Thiruvarur
District.

Petitioner(s)

Vs

The State of Tamil Nadu, Rep by
1.The Inspector Police, Crime Branch-CID South,
Police Station Thiruvarur Crime No.1/2023.

2.The Deputy Superintendent of Police,
O/o.Additional Superintendent of Police,
Crime Branch-CID Headquarters,
Pudukottai.

Respondent(s)

For Petitioner(s):

Mr.A.Navaneetha Krishna
Senior Counsel for
Mr.R.Naveen

For Respondent(s):

Mr.S.Santhosh
Government Advocate (criminal Side),
Madras High Court.



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ORDER

Apprehending arrest in connection with Crime No.1 of 2023, registered for the offences punishable under Sections 120B, 419, 420, 468, 471 and 506(i) of IPC on the file of the first respondent, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned senior counsel for the petitioner seeks indulgence of this Court. He would submit that the petitioner is a licensed document writer, aged about 69 years and that he only prepared sale agreement and he was not involved in the registration process on the alleged fabrication of documents and that he is not the beneficiary in the transaction. He would submit that the petitioner has also undergone a by pass surgery very recently on 07.12.2024 and he is advised bed rest and he would submit that the respondents have served notice under Section 41A of Cr.P.C. directing the petitioner to appear for enquiry and the petitioner is ready to appear before the respondent and co-operate for the enquiry. He would submit that the



petitioner is ready to abide by any stringent condition that may be imposed by this court.

3.The case of the prosecution, as put forth by the learned Government Advocate (CrI.Side) appearing for the respondent police, opposing for grant of bail, is that the accused, by fabrication of documents and impersonation, had transferred the property belonging to the defacto complainant and thereby cheated him and grabbed the property. He would submit that notice under Section 41A of Cr.P.C. was served on the petitioner and he also submits that the petitioner has undergone by pass surgery.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for the respondent Police and perused the materials available on record and also the materials filed along with the petition, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of four weeks from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Thiruvarur**, 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 petitioner 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 petitioner shall report before the respondent police on summons.

[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 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].



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

27.01.2025

Anu

To

1.The Inspector Police, Crime Branch-CID South,
Police Station Thiruvarur Crime No.1/2023.

2.The Deputy Superintendent of Police,
O/o.Additional Superintendent of Police,
Crime Branch-CID Headquarters,
Pudukottai.

3.The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

Anu

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