



Crl.O.P.No.2392 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

CRL O.P. No.2392 of 2025

G.Nandhivarman,

... Petitioner/Accused

Vs

State rep. by:-

The Inspector of Police,
Crime Branch – CID Police Station,
Salem District.

...Respondent/Complainant

PRAYER:- The Criminal Original Petition is filed under Section 528 of B.N.S.S.,
pleaded to enlarge the petitioner on bail in the event of his arrest in Crime No.01
of 2024 on the file of the respondent police.

For Petitioner : Mr.Suryaprakash R

For Respondent : Mr.S.Balaji
Government Advocate
[Criminal Side]



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ORDER

The petitioner/accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 468, 471 and 420 of IPC in Crime No.1 of 2024, seeks anticipatory bail.

2. The case of prosecution is that one Ms.Thangam, was a registered contractor doing various Government projects in Kolathur Village, and for the purpose of attaining a sales tax exemption, the said Thangam had fabricated Form S and cheated Government to the tune of Rs.1.07 lakhs, and a case was registered in FIR in Crime No.8 of 2016.

3. The learned counsel for the petitioner/A3 would submit that the main accused/A1 and A2 were granted anticipatory bail by the learned Principal Sessions Judge, Salem, the Court of Principal Session Judge of Salem, in C.M.P.No.2379 of 2016, dated 19.08.2016; and that the case was subsequently transferred to the respondent police and a new crime number was assigned, and hence, he apprehends arrest.



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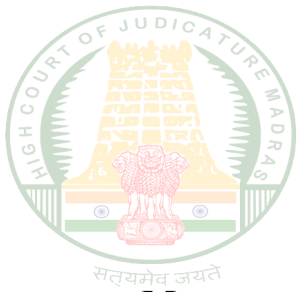
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4. The learned Government Advocate (Crl.Side), for the respondent, *per contra*, submitted that pursuant to the transfer of investigation, the respondent conducted a search in the premises of the petitioner/A3 and found a Government seal in his possession and also confirmed that there are no other cases against the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the fact that the occurrence is said to have taken place in the year 2016, A1 and A2 have already been granted anticipatory bail and the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail on certain conditions.

7. Accordingly, the petitioner 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 **Judicial Magistrate Court I,**



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Mettur 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 conditions 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 everyday 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 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.

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To

- 1.The Judicial Magistrate No.I, Mettur.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police,
Crime Branch – CID Police Station,
Salem District.



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SUNDER MOHAN. J.,

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