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Crl.O.P.No.3839 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

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

Crl.O.P.No.3839 of 2025

S Murugesan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
The District Crime Branch
Perambalur District.
(Crime No.13 of 2023)

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.13 of 2023 on the file of the respondent police.

For Petitioner : Mr.G.Ilamurugu

For Respondents : Mr.S.Santhosh
Advocate (Crl.Side)

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 417, 420, 465, 468, 471 and 474 of the Indian Penal Code, 1860, in Crime No. 13 of 2023 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that A1 to A4 created false documents in collusion with A5 to A9. The petitioner was arrayed as A9, who was working as a Village Administrative Officer. The allegation against the petitioner/A9 is that he made recommendation to Deputy Tahsildar for issuance of Patta and hence he was also involved in the alleged offence. Hence the case.

3. Learned counsel appearing for the petitioner/A9 would submit that the petitioner is an innocent person; he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case; that the co-accused/A5 in this case was granted anticipatory bail by this Court in Crl.O.P.No.3840 of 2025 dated 17.02.2025; and that in any case, the custodial interrogation of the petitioner is not required and sought anticipatory bail for the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the final report had already been filed; and that the co-accused/A5 in this case was granted anticipatory bail by this Court in Crl.O.P.No.3840 of 2025 dated 17.02.2025.



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

6. Considering the nature of the allegations, the fact that the co-accused was granted anticipatory bail by this Court, the fact that the final report had already been filed and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 (15) days from the date on which the order copy was made ready, before the learned **Judicial Magistrate No.I, Perambalur**, 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 said Magistrate, on further condition 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



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ensure their identity;

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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]***;

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

18.02.2025

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To

1.The Judicial Magistrate, No.I, Perambalur

2.The Inspector of Police,
The District Crime Branch,
Perambalur District.

3.The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN,J.
dk

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