



Crl.O.P.No.31641 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.01.2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.31641 of 2024

Sakthivel

....Petitioner

Vs

State Rep., by
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.399 of 2024)

... Respondent

For Petitioner : Mr.R.Thamaraiselvan

For Respondent : Mr.S.Santhosh,
Government Advocate(Criminal Side)

ORDER

The petitioner, who apprehends arrest in connection with Crime No.399 of 2024, for the alleged offences punishable under Sections 468, 420, 294(b) and 506(1) of IPC, on the file of the respondent Police, seeks anticipatory bail.



Crl.O.P.No.31641 of 2024

WEB COURT

2.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He submits that the defacto complainant was working as a Government Contractor in Thirunavalur Panchayat Union Office and he has completed the work of laying cement road in Sengurichi Panchayat under the 15th Finance Commission Grant Scheme and though Block Development Officer, Thirunavalur had inspected the work and had informed that the amount has been deposited to the account of the defacto complainant. He further submits that the Chairman of Sengurichi Panchayat and the Computer Assistant viz., Karunakaran had prepared a fake Government Order and included the name of the petitioner fraudulently and credited the contract amount of Rs.9,18,500/- to the petitioner's account. He also submits that due to business rivalry, a false complaint has been given against the petitioner and he is ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate(Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner and accused are contractors and the contract was originally allocated to the



Crl.O.P.No.31641 of 2024

defacto complainant and he had also completed the cement road laying work, however, the petitioner, by fabricating the work orders had illegally received a sum of Rs.9,18,500/-, which was intended to the defacto complainant.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also the nature of offences involved, 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.

5. 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 on which the order copy made ready, before the **learned Judicial Magistrate No.II, Ulundurpet**, 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



CrI.O.P.No.31641 of 2024

condition that:

WEB COPY

[a] the petitioner and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30a.m., for a period of two weeks and thereafter, every Saturday at 10.30a.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 is 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.

24.01.2025

raa



Crl.O.P.No.31641 of 2024

To

- 1.The Judicial Magistrate No.II, Ulundurpet.
- 2.The Inspector of Police, Thirunavalur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor, High Court, Madras.

A.D.JAGADISH CHANDIRA, J.



WEB COPY



Crl.O.P.No.31641 of 2024

raa

Crl.O.P.No.31641 of 2024

24.01.2025