



Crl.O.P.No.1368 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.1368 of 2026

Baba Fakruddin

... Petitioner

Vs.

The State Rep. By,
The Inspector of Police,
District Crime Branch,
Erode.
Crime No.02 of 2022

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail
in the event of his arrest in Crime No.02 of 2022 on the file of the respondent
police.

For Petitioner : Mr.K.Thamizharasan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 467, 468 & 471 of IPC in Crime No.02 of 2022, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is ranked as A4 in this case and he fabricated a fake cheque as if it was issued by one M/s.Vital Laboratories Pvt.Ltd and with the help of other accused, it was presented before the concerned Bank, however the cashier raised a suspicion and fearing the consequences A1 ran away from the Bank. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the case is of the year 2022 and co-accused have been arrested and released on bail. . Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is the main accused in this case and he is ranked as A4 and he is the one who handed over the cheque to Accused No.1 for presentation before



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bank. He further submitted that now the cheque has been recovered and no money is paid to the accused. However, he opposed for grant of bail to the petitioner.

5. I have gone through the FIR and other connected records.

6. Considering the nature of offence allegations and the fact that the case was registered in the year 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Erode**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall



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stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

[f] the petitioner shall co-operate with the investigation and submit the sample signature, if any, required during investigation.

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To

1. Judicial Magistrate No.2, Erode.

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

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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