

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL ORIGINAL PETITION No.20680 & 20769 of 2017

1 SHEIK GULAM ABBAS
2 ASSAINI NAZAR

[PETITIONERS / ACCUSED
IN BOTH THE PETITIONS]

Vs

STATE REP.BY
INSPECTOR OF POLICE,
R1, MAMBALAM POLICE STATION,
CHENNAI.
CR.NO.1157 & 1136 OF 2017.

[RESPONDENT
IN BOTH THE PETITIONS]

For Petitioner : M/S.M.RAJAVELU Advocate
[IN ALL THE PETITIONS]

For Respondent : MR. R.SEKAR, Govt. Advocate (Crl. Side)
[IN ALL THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

These petitions have been filed to enlarge the petitioners on bail, as they were arrested on 14.08.2017 for the alleged offence punishable under Section 420 of IPC in Crime Nos.1157 and 1136 of 2017 on the file of the respondent Police.

2. Mr.M.Rajavelu, learned counsel appearing for the petitioners would state that these petitioners belong to Bangalore, Karnataka State and they had come to Chennai to have textile business and they are in no way connected with any offence as alleged by the respondent/prosecution.

3. The learned counsel for the petitioners would state that though allegations had been made against the petitioners, as if they have cheated the de facto complainant, no materials have been shown by the prosecution and no recovery has been made from the petitioners.

4. However, Mr.R.Sekar, learned Government Advocate (Crl. Side), appearing for the respondent, would state that these petitioners have been charged at least in two cases, where the respective de facto complainants have given similar complaints against these petitioners and accordingly, they have been arrested and remanded to judicial custody.

5. The learned Government Advocate (Crl. Side), would also state that since, the petitioners are not permanent residents of Chennai or this State, if these petitioners are enlarged on bail, they may abscond and that will hamper the investigation, which is in progress.

6. I have considered the said submissions made by both the learned counsel appearing for the parties.

7. In view of the aforesaid facts and circumstances, I am inclined to pass the following orders that the petitioners shall be enlarged on bail, on the following conditions :-

(i) Each petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a likesum and at least one surety by each of the petitioner, shall be by way of Government Surety, to the satisfaction of the learned XVII Metropolitan Magistrate, Saidapet, Chennai;

(ii) Further, the petitioners shall surrender their identification card such as Aadhar / Voter Identity Card before the Court below ; and

(iii) The petitioners shall report before the respondent Police daily at 10.00 a.m. and 5.00 pm, for a period of thirty days and thereafter, shall appear before the respondent Police daily at 10.00 am., until further orders.

-sd/-
27/09/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI
[FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB-JAIL, SAIDAPET.

4 THE INSPECTOR OF POLICE,
R1, MAMBALAM POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+4CC to M/S.M.RAJAVELU Advocate on payment of necessary charges
SR NOS.18602, 18603

CRL OP.20680 & 20769 OF 2017

Date :27/09/2017

MK:27/09/2017