



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

Friday, the Twenty Fourth day of January Two Thousand Twenty

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.1164 of 2020

R.PADMANABHAN

[PETITIONER / ACCUSED]

Vs

THE STATE, [RESPONDENT]
REP. BY THE INSPECTOR OF POLICE (CRIME)
J-5, SASTRI NAGAR POLICE STATION,
CHENNAI-600 020.
CRIME NO.822 OF 2019

For Petitioner : M/S.J.ASHOK Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

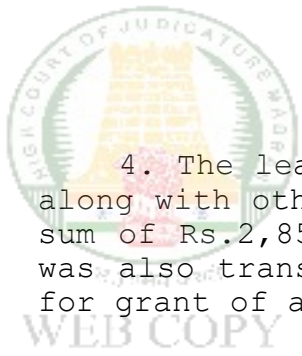
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 420, 409, 120 (b) and 468 of I.P.C. in Crime No.822 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with one R.Dhanapal and other accused, cheated the defacto complainant to the tune of Rs.16,00,000/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offence and a false case has been foisted against him. He submitted that A1 has transferred a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only) to the petitioners account for which the petitioner was falsely implicated in this case. On instruction, he further submitted that the petitioner is ready to deposit a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only), to the credit of crime No.822 of 2019 to show his bonafide. Thereafter, the said amount may be disposed in favour of defacto complainant. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Public Prosecutor submitted that the petitioner along with other accused had cheated the defacto complainant and a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only) was also transferred to the petitioner's account. Hence, opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also of the fact that the petitioner is ready to deposit the amount, this Court is inclined to grant anticipatory bail to the petitioner subject to following conditions

6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only), to the credit of crime No.822 of 2019, within a period of two weeks from the date on which the order copy made ready and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned IX Metropolitan Magistrate, Saidapet, Chennai 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 condition 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 deposit a sum of Rs.2,85,000/- (Rupees Two Lakhs Eighty Five Thousand only), to the credit of crime No.822 of 2019, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready and same shall be disbursed in favour of the defacto complainant after obtaining undertaken and proof affidavit.

[c] the petitioner shall appear 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] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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



[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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-sd/-
24/01/2020

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.IX,
SAIDAPET, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
J-5, SASTRI NAGAR POLICE STATION,
CHENNAI-600 020.

+1CC to M/S.J.ASHOK Advocate on payment of necessary charges
SR NO.1361

CRL OP.1164/2020

Date :24/01/2020

MK:28/01/2020