

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventeenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.4977 of 2020

MURUGAN

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE [RESPONDENT]
S-10, PALLIKARANAI POLICE STATION,
CHENNAI.
CR.NO.1009/2019.

For Petitioner : M/S.R.PRABHAVATHY Advocate

For Respondent : MR. K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 406, 420 IPC in Cr.No.1009 of 2019, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused induced 10 persons under the guise of getting Government jobs and received lakhs of money from the public.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner is a taxi driver and he has no connection in this case. The main accused has been arrested and released on bail. Hence, he prays for granting anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused in the guise of getting Government jobs cheated several gullible persons and the petitioner has received Rs.3lakhs. He would further submit that other accused were arrested and they have confessed that a sum of Rs.3lakhs has been paid to the petitioner towards commission.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Judicial Magistrate No.I, Alandur, on condition that the petitioner shall execute a separate 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, within two weeks from the date of receipt of the order, 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 report before the respondent police daily at 10.30am 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
17/03/2020

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 JUDICIAL MAGISTRATE,
NO.I, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

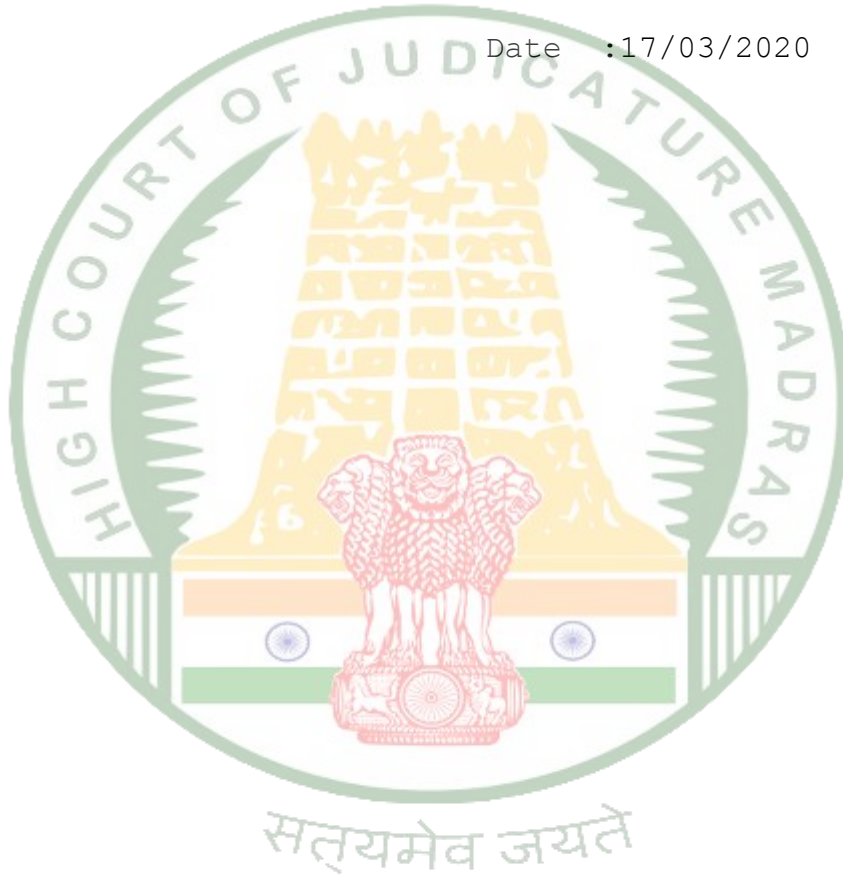
4 INSPECTOR OF POLICE
S-10, PALLIKARANAI POLICE STATION,
CHENNAI.

CC to M/S.R.PRABHAVATHY Advocate on payment of necessary charges
Sr.5444

CRL OP.4977/2020

Date :17/03/2020

RVR 24/03/2020



WEB COPY