

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.7156 & 7157 of 2020

(*) P.Venkatramanan

...Petitioner in both Crl.O.Ps.

Vs.

State rep. by its
The Inspector of Police,
(EDF-II, Team-IXA)
Veperry, Chennai-7.
Crl.O.Ps.

.... Respondent in both

COMMON PRAYER: Criminal Original Petitions are filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail pending investigation in Crime Nos.300 of 2019 and 331 of 2019 on the file of the Inspector of Police, CCB-I, Chennai.

For Petitioner : Mr.Dr.G.Babu

For Respondent : Mr.Shunmugarajeswaran
Government Advocate (Crl. Side)
[in Crl.OP.No.7156 & 7157/2020]

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor
[in Crl.MP.No.5434 & 5435/2020]

O R D E R

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the petitioner was already granted interim bail by this Court by order dated 08.05.2020. He further submitted that the amount cheated by the petitioner along with other accused comes to Rs.1,44,22, 219/- and that the investigation is pending.

2. The learned counsel for the petitioner/A2 would submit that earlier the petitioner was in jail for 97 days and till date, final report has not been filed. He also submitted that the main accused /A1 has been granted bail.

3. In view of the above submissions and the fact that the petitioner was already in prison for more than 90 days and that the final report has not been filed till date, the interim bail already granted by this Court on 08.05.2020 is made absolute subject to the following conditions:

()"(a) Accordingly, the petitioner shall surrender and execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the Special Court for CCB, Egmore, Chennai, within a period of two weeks after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, failing which the bail granted by this Court shall stand dismissed automatically;"**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police as and when required for the interrogation.

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, this Criminal Original Petitions are ordered.

-sd/-

13/07/2020

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.

(*) Amended as per Order of this Court dated 14/09/2020 made in Crl.MP.Nos.5434 & 5435/2020 in Crl.OP.Nos.7156 & 7157/2020

(**) (i) Being mentioned and A further period of two weeks is extended from the date on which the order copy is made ready.

(ii) The other conditions imposed by this Court in Crl.O.P.Nos.7156 & 7157 of 2020 dated 13.07.2020 shall stand unaltered, as per order of this Court dated 06/11/2020. Made in Crl.O.P.NO.7156 & 7157/2020.

TO

(**) 1 THE SPECIAL COURT FOR CCB,
EGMORE, CHENNAI,

2 THE METROPOLITAN MAGISTRATE,
SPECIAL COURT FOR CCB CASES,
EGMORE, CHENNAI-8.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

4 THE JUDICIAL MAGISTRATE,
THIRUVOTTIYUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE
(EDF-II, TEAM -IXA
CHENNAI -7.

7 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

CC to M/S. DR. G.BABU Advocate on payment of necessary charges

CRL OPs.7156 & 7157/2020

Date :13/07/2020

cs 09/09/2020
cs 23/10/2020
TA-09/11/2020