

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.8996 of 2020

Vellaisamy

..Petitioner

/vs/

The Inspector of Police,

E4, Abiramapuram Police Station.

(Crime No.195 of 2020)..Respondent

Prayer: Criminal Original Petition filed under Section 438 of the Cr.P.C., to grant anticipatory bail to the petitioner in the event of his arrest by the respondent police in Crime No.195 of 2020, pending investigation on the file of the respondent police.

For petitioner : Mr.K.J.Saravanan

For Respondent : Mr.M.Mohammed Riyaz,

Additional Public Prosecutor

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465 and 468 of IPC, in Crime No.195 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner applied for a German Visa and at the time of attending the interview, he produced an experience certificate which according to the consulate was a forged certificate. Based on the complaint given by the German consulate, the respondent police have registered an FIR against the petitioner.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the 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, within a period of fifteen days from the date on which the order copy made ready, before the learned XVIII Metropolitan Magistrate, Saidapet, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five 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 report before the respondent police, as and when required for interrogation.

[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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

19/06/2020

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.XVIII, SAIDAPET, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
E-4, ABIRAMAPURAM POLICE STATION,

CC to M/S.K.J.SARAVANAN Advocate on payment of necessary charges

CRL OP.8996/2020

Date :19/06/2020

RD 04/08/2020

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