

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8521 of 2021

Ramesh

... Petitioner

Vs.

State represented by
The Inspector of Police,
Team XXXI, Central Crime Branch,
Chennai.

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.134 of 2020 pending on the file of the respondent.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.L.Charles Premkumar
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

Heard the learned counsel on either side.

2. The petitioner is in custody since 03.03.2021 for the offence under Sections 120B, 420, 465, 467, 468 and 471 of IPC in Crime No.134 of 2020. He seeks bail.

3. The case of the prosecution is that the petitioner is the first accused in Crime No.134 of 2020 registered on the file of the respondent police, even though originally his name did not appear in the FIR. The prosecution alleges that the petitioner obtained huge cash credit facilities in the names of the employees.

4. The learned counsel for the petitioner would state that two of the accused have since been granted bail. The occurrence is said to have taken place between 2017-2019. The petitioner was not a party to the transaction and that the petitioner is no way a beneficiary. Since the investigation appears to be substantially completed, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned CCB and CBCID Court, Egmore, and on further conditions that:

(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 not commit any offences of similar nature;

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

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

(f) 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];

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

5. With the above directions, this Criminal Original Petition is ordered.

-sd/-

05/05/2021

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 OFFICER INCHARGE,
CCB AND CBCID COURT, EGMORE,
CHENNAI

2 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET, CHENNAI

3 THE INSPECTOR OF POLICE,
TEAM XXXI, CENTRAL CRIME BRANCH,
CHENNAI.

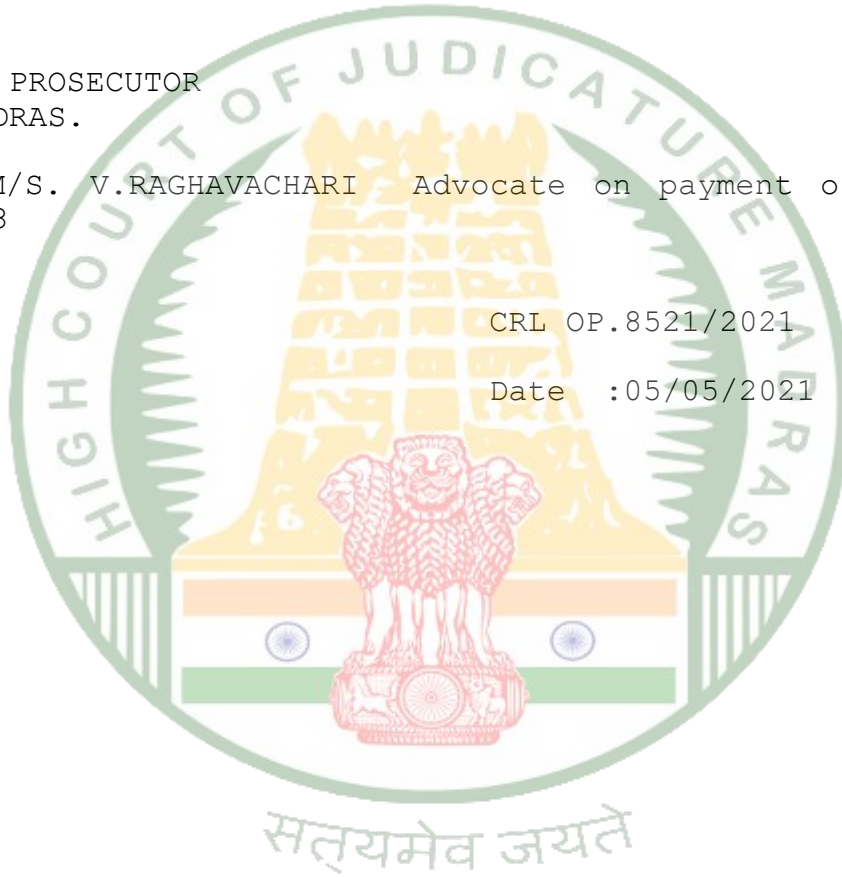
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. V.RAGHAVACHARI Advocate on payment of necessary
charges Sr.5768

CRL OP.8521/2021

Date :05/05/2021

RVR 06/05/2021



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