

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM :

THE HON'BLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P.No.9033 of 2021

S.Gunasekaran

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Ranipet Police Station,
Vellore District.
(Crime No.223 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of arrest in Crime No.223 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406, 420, 468, 471 of I.P.C in Cr.No.223 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused is alleged to have received a sum of Rs.5 Lakhs from the defacto complainant by making false promise that they will secure job for him.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioner, to show his bonafide, is ready to deposit a sum of Rs.2 Lakhs to the credit of crime number.

4.Heard the submissions made by the learned Government Advocate.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Ranipet, 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 and on further condition that:

(a) the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of Crime No.223 of 2020 before the learned District Munsif cum Judicial Magistrate, Ranipet, within a period of four weeks from the date of receipt of a copy of this order.

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 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 Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

-sd/-

12/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, RANIPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
RANIPET POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S E.KANNADASAN Advocate on payment of necessary charges
SR.6175

CRL OP.9033/2021

सत्यमेव जयते Date:12/05/2021

RVR 15/06/2021

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