

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.10496 of 2021

SathyaMoorthy

... Petitioner

Vs.

State by ,
Inspector of Police,
Arcot Town Police Station,
Arcot, Ranipet District.
(Crime No.201 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.201 of 2021 in the event of arrest on the file of the respondent Police Station.

For Petitioner : Mr.S.P. Arthi

For Respondent : Mr.A. Gopinath
Government Advocate

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 170,409,465,468,472 420 and 109 of IPC in Crime No.201 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner created bogus documents that he was a Government employee and obtained loan from the defacto complainant's bank. Hence the law enforcing agency registered the case against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner obtained Rs.5,00,000/- as loan and he has repaid Rs.3,00,000/- and Rs.2,00,000/- is yet to be paid. On instructions he further submitted that he is ready to pay the balance amount of Rs.2,00,000/- to the defacto complainant's bank. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner by producing the fake documents obtained loan from the defacto complainant's bank. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact that the petitioner on his own volition is ready to deposit the balance loan amount of Rs.2,00,000/- to the credit of the crime number, 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Arcot Court, Ranipet District 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 defacto complainant's bank within a period of eight weeks from the date of receipt of a copy of this order and produce the receipt of the same before the learned Judicial Magistrate Arcot Court, Ranipet District.

(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 petitioners 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;

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

-sd/-
16/06/2021

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 JUDICIAL MAGISTRATE,
ARCOT COURT, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION,
ARCOT, RANIPET DISTRICT.

+1 CC to M/S.S.P.ARTHI Advocate on payment of necessary charges
SR.No.6600

CRL OP.10496/2021

Date :16/06/2021

cs 02/07/2021

WEB COPY