



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17265 of 2021

JOHN BENEDICT

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-1,
COMMISSIONER OF POLICE,
VEPERY, CHENNAI.
(CRIME NO.342/2018)

[RESPONDENT]

For Petitioner : M/S. B.PRATAP Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 465, 468, 471 and 34 of I.P.C. in Cr.No.342 of 2018 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 produced fake salary certificate and other documents before the defacto complainant Bank and obtained vehicle loan to the tune of Rs.60 Lakhs and cheated the Bank. The defacto complainant is the Branch Manager of the Syndicate Bank.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the allegation against the petitioner is that the petitioner introduced one Rohit and one Aneesh



in the year 2016 for two vehicle loans and obtain loan to the tune of Rs.7.5 Lakhs. He further submitted that on earlier occasion, the petitioner filed petitions seeking anticipatory bail in CrI.O.P.Nos.14683, 17337 of 2020 and 15119 of 2021 before this Court and they were dismissed as withdrawn. The learned counsel, on instructions, further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.2,50,000/- before the defacto complainant bank.

4.Heard the submissions made by the learned Government Advocate (CrI. Side).

5.Considering the fact that the petitioner without prejudice to his rights, is ready to deposit a sum of Rs.2,50,000/-, 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 Metropolitan Magistrate, Central Crime Branch and CBCID, Egmore, Chennai, 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.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) before the defacto complainant Bank, within a period of two weeks from the date of receipt of a copy of this order. The proof of such payment shall be produced at the time of executing the bond;

(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;

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

-sd/-

24/09/2021

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 METROPOLITAN MAGISTRATE,
CENTRAL CRIME BRANCH AND CBCID,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-1,
COMMISSIONER OF POLICE,
VEPERY, CHENNAI

+1 CC to M/S. B.PRATAP Advocate on payment of necessary charges
SR.NO.10571

CRL OP.17265/2021

Date :24/09/2021

RW 01/10/2021