



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16610 of 2021

A.ARAVIN PRABHU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVARUR DISTRICT
CR NO. 17/2018

[RESPONDENT]

For Petitioner : M/S.D.PRABU Advocate

For Respondent : M/S. 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 apprehend arrest at the hands of the respondent police for the alleged offence under Sections 120(b), 406, 408, 420 of I.P.C in Cr.No.17 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner received money from the De-facto Complainant and many other persons and made false promises to secure a permanent Government Job. However, he neither secured the job nor returned the money back to the Victims. When the De-facto Complainant demanded the return of money from the petitioner, the petitioner threatened him with dire consequences. Hence this complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that on an earlier occasion, an Anticipatory Bail petition was moved by the petitioner before this Court in Crl.O.P.No.12984 of 2021 which was dismissed on 02.08.2021 and now, the petitioner is ready to pay a sum of Rs.1,05,000/- to the Defacto



Complainant. Hence prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case.

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5. Considering the facts and circumstances of the case and the submission made by the learned counsel for the petitioner that the petitioner is ready to pay a sum of Rs.1,05,000/- to the De-facto Complainant, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Thiruvavur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner shall make a demand draft for a sum of Rs.1,05,000/- (Rupees One Lakh Five Thousand) in favour of the De-facto Complainant, without prejudice to his defence before the trial Court and the concerned Magistrate, shall accept the sureties furnished by the petitioner on such deposit being made and proof filed by the petitioner;

(c)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;

(d)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

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

(g)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;

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

-sd/-

20/09/2021

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 JUDICIAL MAGISTRATE,
THIRUVARUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVARUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.PRABU Advocate on payment of necessary charges
SR.No.10289

CRL OP.16610/2021

Date :20/09/2021

APN 28/09/2021