



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15374 of 2021

R.SASIKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-II,
TEAM 23, ALGSC-II.
CHENNAI.
IN CR.NO.24 OF 2021.

For Petitioner : M/S.J.WILLIAM SHAKESPHERE Advocate for M/S.RIYAZ,
Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (CrI. 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 Section 419, 420, 465, 467, 468, 471 read with 120(b) of IPC in Cr.No.24 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's father is the original owner of the subject property in plot Nos.79 and 80 at Geason Ayanambakkam and his father died on 30.09.2011. Thereafter, the petitioner along with other accused persons created a forged document and executed a settlement deed in favour of one Sivaganesan settling a part of the plot Nos.79 & 80. Thereafter, the said Sivaganesan had appointed one SS.Muthukumar as his power agent on 29.05.2020. When the defacto complainant was visited the said subject property, the petitioner along with other accused persons intimidated him with dire consequences. Hence, the complaint.



3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been lodged against the petitioner. The petitioner is ready and cooperate for cancelling the sale deed. However, on instructions, the petitioner is ready to deposit a sum of Rs.19,00,000/- within a period of four weeks to the credit crime number before the court below. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that investigation is pending and hence, he objected to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate-I, Poonamallee, 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 in an interest-bearing fixed deposit for a sum of Rs.19,00,000/- (Rupees Nineteen Lakhs only) by way of demand draft to the credit of Crime No.24 of 2021, before the learned Judicial Magistrate-I, Poonamallee without prejudice to his defence before the trial Court within a period of four weeks from the date of receipt of copy of this order and the learned Judicial Magistrate, after perusing the Demand Draft, shall accept the sureties furnished by the petitioner.

(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. until further orders;

(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/-

07/10/2021

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,
NO.I, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-II,
TEAM 23, ALGSC-II. CHENNAI.

CC to M/S.J.WILLIAM SHAKESPHERE Advocate on payment of
necessary charges

CRL OP.15374/2021

Date :07/10/2021

RW 27/10/2021