



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.16549 of 2021

P.PARAMANANDAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
CENTRAL CRIME BRANCH,
CCB II TEAM, VEPERY,
CHENNAI-600 007.
CRIME NO.54 OF 2021.

[RESPONDENT]

For Petitioner : M/S.K.SEETHARAM 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 120B, 420, 465, 468, 471 of I.P.C. in Cr.No.54 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have produced fake salary certificate and other documents before the defacto complainant Bank and obtained loan to the tune of Rs.47 Lakhs and paid only two installments and thereafter he neither paid the installments nor repaid the balance amount. The defacto complainant is the Assistant General Manager of the State Bank of India.



3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the case. The learned counsel, on instructions, further submitted that the petitioner is ready to deposit the entire balance amount before the defacto complainant bank and prays for eight weeks time to deposit the amount. To that effect, the petitioner has also filed an affidavit dated 15.09.2021 before this Court.

4.The learned Government Advocate (Crl. Side) submitted that in the event of the petitioner settling the amount, this Court may consider for grant of anticipatory bail to the petitioner.

5.Considering the fact that the petitioner is ready to deposit the entire balance amount before the defacto complainant Bank, 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 eight weeks from the date of receipt of a copy of this order, before the learned Metropolitan Magistrate Court for CCB and CBCID Cases at 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 the entire balance amount before the defacto complainant Bank, within a period of eight 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. 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/-
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 COURT
FOR CCB AND CBCID CASES AT EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION].

3 CENTRAL CRIME BRANCH,
CCB II TEAM, VEPERY,
CHENNAI-600 007.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.SEETHARAM Advocate on payment of necessary charges SR.NO.16549

CRL OP.16549/2021

Date :24/09/2021

JPA 04/10/2021