



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18067 of 2021

MOHAMED UNIS @ MUHAMMAD YOUNIS

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION,
RANIPET DISTRICT.
CRIME NO.201 OF 2021.

[RESPONDENT]

For Petitioner : M/S.B.SUNDARAPANDIYAN 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 170, 409, 465, 468, 471, 420 and 109 of I.P.C. in Cr.No.201 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 obtained loan of Rs.2 Lakhs from a Nationalized Bank by submitting forged documents.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the co-accused has already been granted anticipatory bail by this Court in Crl.O.P.No.9755 of 2021 on 17.06.2021. The learned counsel, on instructions, further submitted that the petitioner has already paid a sum of Rs.91,000/- and the balance amount along with interest comes to around Rs.1,30,000/- and the petitioner is ready to deposit the same before the defacto complainant Bank.



4. Heard the submissions made by the learned Government Advocate.

5. Considering the fact that the petitioner is ready to deposit a sum of Rs.1,30,000/- 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 four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Arcot, 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.1,30,000/- (Rupees One Lakh and Thirty Thousand Only) before the defacto complainant Bank, within a period of four weeks from the date of receipt of a copy of this order. The proof of such deposit 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/-
29/09/2021

WEB COPY

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, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION, RANIPET.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.B.SUNDARAPANDIYAN Advocate on payment of necessary charges SR.NO.10767

CRL OP.18067/2021

Date :29/09/2021

JPA 05/10/2021