



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.18176 of 2021

1 RAJENTHIRAN

[PETITIONERS / ACCUSED]

2 YAMUNA

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR POLICE STATION,
TIRUVALLUR DISTRICT
CR NO.41/2021

For Petitioner : M/S.R.ASHRAF KHAN 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 petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420 of I.P.C. r/w.34 of I.P.C. in Cr.No.41 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to induced the defacto complainant to purchase a land and received a sum of Rs.5 Lakhs and thereafter cheated the defacto complainant.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioners, had repaid a sum of Rs.2 Lakhs to the defacto complainant and further submitted that the petitioners are ready to deposit the balance amount of Rs.3 Lakhs to the credit of the crime number and also conceded the same to be disbursed to the defacto complainant. However, the learned counsel submitted that before



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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Tiruvallur, 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:

(b) the petitioners 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;

(d) the petitioners shall not tamper with evidence or witness 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 petitioners 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;

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

-sd/-

29/09/2021

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,
NO.1, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUVALLUR POLICE STATION,
TIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.ASHRAF KHAN Advocate on payment of necessary charges SR.No.10828

CRL OP.18176/2021

Date :29/09/2021

APN 06/10/2021