



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

WEB COPY

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI
CRIMINAL ORIGINAL PETITION No.20873 of 2021

MANOJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TEAM-IX, (JOB RACKETING),
VEPERY, CHENNAI DISTRICT.
(CRIME NO.999/2021)

[RESPONDENT]

For Petitioner : M/S.S.N.ARUNKUMAR Advocate

For Respondent : MR. N.S.SUGANTHA, Counsel for Govt. Advocate (Crl.
Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 506(i) r/w Section 34 of IPC, in Crime No.999 of 2012, seeks anticipatory bail.

2. The case of the prosecution is that A1 who runs "Aadava Exports Company" had received a sum of Rs.1,50,000/- on 01.08.2011 and promised to procure job in three star hotel at Quait to the defacto complainant. But the job was allotted on road side hotel, and thereafter, the hotel owner sent back the complainant due to deficit visa. Thereafter, he approached A1 and he assured to give a sum of Rs.1,50,000/- whereas, he paid only Rs.20,000/- and failed to repay the balance amount. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given against the petitioner. He would further submit that A1 was arrested and released on bail on 27.08.2021. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there are totally two accused persons, in which A1 is the father of A2. On false promise, A1 and A2 collected money from 11 victims for procuring job at Quait, but, neither provide job and nor returned the money. In spite of absconding charge sheet is filed against A2, he is still not co-operating for investigation and summons were issued. The case is now under trial stage. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the submission made by the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Metropolitan Magistrate (CCB & CBCID) Court, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders and shall co-operate for trial without any absent.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
08/11/2021

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 (CCB & CBCID) COURT,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TEAM-IX, (JOB RACKETING),
VEPERY, CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary charges SR.NO.12493

CRL OP.20873/2021

Date :08/11/2021

INBA-12/11/2021