



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.21785 of 2021

1.R.Parthasarathy
2.Lakshmi Parthasarathy

... Petitioners

Versus

The Inspector of Police,
Central Crime Branch EDF I, Team I,
Vepery, Chennai 600 007.
(Crime No.500 of 2012)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.500 of 2012, on the file of the Hon'ble Judicial Magistrate No.1, Poonamallee.

For Petitioners : Mr.J.Arulprakasam

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehends arrest for the alleged offence under Sections 406, 420, 477-A of IPC, in Crime No.500 of 2012 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 committed the offences punishable under Sections 420, 408, 477-A, 465, 467, 468 of IPC r/w 471 of IPC while so the A2 to A16 committed the offences punishable under Sections 420, 408, 477-A, 465, 467, 468 of IPC r/w 471 of IPC and r/w 120(b) IPC. The A17 to A20 committed the offences punishable under Sections 420 and 408 IPC r/w 109 IPC. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the investigation completed, charge sheet also filed. However, he vehemently opposed to grant anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and the fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District**, on condition that the petitioners 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 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;

(b) the petitioner is directed to surrender before the trial Court i.e., learned Judicial Magistrate No.I, Poonamallee, Thiruvallur District and file a petition under Section 70(2) of Cr.P.C., to recall the non bailable warrant.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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;

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

-sd/-
19/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



1 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH EDF I, TEAM I,
VEPERY, CHENNAI-600 007.

+3 CC to M/S.J.ARULPRAKASAM Advocate on payment of necessary
charges SR.NO.13095

CRL OP.21785/2021

Date :19/11/2021

TA-24/11/2021