



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.22069 of 2021

Deepak @ Deepak Prasanth

... Petitioner

Vs.

State Rep. By
The Inspector of Police,
W-14, All Women Police Station,
Thiruvottiyur, Chennai.
Crime No.08 of 2021.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.8 of 2021 on the file of the respondent.

For Petitioner : Mr.J.Hari Krishna

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 417 of IPC and Section 4 of TNPWH Act 2002, in Crime No.8 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 25.01.2021 engagement was held between the defacto complainant and the petitioner. The defacto complainant's family gave a sum of Rs.4,00,000/- for marriage arrangement and other expenses. Due to some mis-understanding the marriage was cancelled. Thereafter, the petitioner and his family members prolonged to return back the money. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner returned a sum of Rs.4,00,000/- to the defacto complainant. He prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.side) appearing for the respondent also admitted that there was a settlement between the parties for a sum of Rs.4,00,000/-, and the same was paid. He further submitted that investigation almost completed.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate and the investigation also completed, 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 before the learned Judicial Magistrate, Thiruvotiyur, 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:

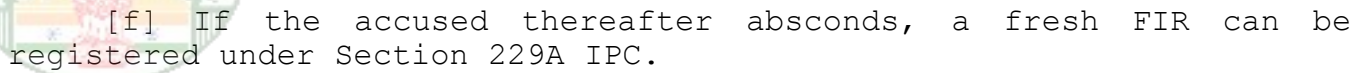
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to report before the respondent police on every Wednesday at 10.30 a.m., until further orders.

[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].



-sd/-
22/11/2021

TRUE COPY

TO

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CRL OP.22069/2021

Date : 22/11/2021

<https://hcservices.ecourts.gov.in/hcservices/>