



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.22153 of 2021

Naveen

... Petitioner

Versus

The State represented by
The Inspector of Police,
District Crime Branch Police Station,
Thiruvallur.
(Crime No.25 of 2020)

...Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.25 of 2020 on the file of respondent police.

For Petitioner : Mr.R.Sasikumar

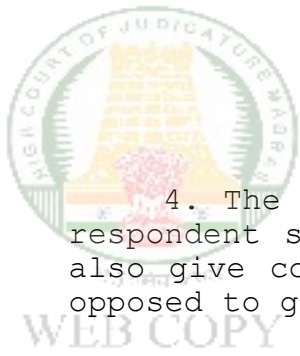
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 468, 469, 471, 483 and 420 of IPC in Crime No.25 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that on 17.12.2021 the Manager of Bajaj Alliance Insurance Private Lit lodged a complaint before the respondent police stating that during a Policy claim verification, they found that a Policy was fake and on verification they had found that the petitioner represented as a Bajaj Alliance staff and approached some retailer points and collected money from the public to insure their vehicles and issued fake Insurance Policies and collected money to the tune of Rs.2,03,466/- in the name of Bajaj Alliance Insurance Company. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner 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 with any condition including deposit of amount, if any.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the other two accused still absconding and also give cooperative for the investigation. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. 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 of receipt of a copy of this order, before the *learned Judicial Magistrate No.I, Thiruvallur*, 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 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 shall appear before the respondent police daily at 10.30 a.m for a period of eight weeks until further orders and deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) before the Trial Court within two weeks, only on deposit of amount, thereafter the petitioner should be enlarge on anticipatory bail;

(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]*; and;



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

-sd/-

24/11/2021

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 JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to R.SASIKUMAR Advocate on payment of necessary charges
SR.NO.13341

CRL OP.22153/2021

Date :24/11/2021

CSK 25/11/2021