



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

WEB COPY

CORAM:

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

Crl.O.P.No.22381 of 2021

1.Ramkumar
2.Sasikumar

...Petitioners

Vs.

The Inspector of Police,
District Crime Branch,
Cuddalore District.
Crime No. 11 of 2021

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in the Crime No. 11 of 2021 pending on file of the Inspector of Police, District Crime Branch, Cuddalore District .

For Petitioners : Mr.C.Raghavan

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 03.11.2021 for the offences under Sections 406, 468, 471, 420 and 506(1) of IPC, in Crime No.11 of 2021, on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioners and other accused joined together and received a sum of Rs.7,85,000/- from the defaco complainant for the purpose of securing Government Job in Food Corporation of India and thereafter, cheated the complainant. Hence, the complaint.

3. The learned Counsel for the petitioners submitted the petitioners were earlier granted anticipatory bail by this Court in Crl.O.P.No.14162 of 2021 by order dated 16.08.2021 with a condition to deposit entire amount of Rs.7,85,000/- to the credit of crime number. But due to pandemic and economic conditions, the petitioners were unable to comply with the order and thereby, they were arrested on 03.11.2021 and they have been suffering incarceration since then.



He would further submit that now the petitioners undertakes to deposit a sum of Rs.5 lakhs to the credit of crime number and seeks for bail.

4. The learned Government Advocate raised objection stating but admits that the investigation is almost completed.

5. Considering the above facts and circumstances of the case and that the investigation is almost completed and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions;

6. Accordingly, the petitioners are directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) to the credit of Crime No.11 of 2021. On such deposit, the petitioners are ordered to be released on bail on their executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Neyveli, and on further conditions that:

(a) 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 petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

(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/-
24/11/2021

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

TRUE COPY



TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
NEYVELI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
CUDDALORE DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHACHALAM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. C. RAGHAVAN Advocate on payment of necessary
charges SR.NO.13345

CRL OP.22381/2021

Date :24/11/2021

CSK 24/11/2021