



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2021

WEB COPY

CORAM:

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

CrI.O.P.No.23349 of 2021

Ganesh

... Petitioner/Sole Accused

Vs.

State represented by
Inspector of Police
Central Crime Branch - 1,
Chennai District.
(Crime No.183 of 2020)

...Respondent/Complainant

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.183 of 2020 on the file of the respondent police.

For Petitioners : Mr.C.Prabakaran

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

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 18.11.2021 for the offences under 420, 465, 468 & 471 of IPC in Crime No.183 of 2020 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner obtained two car loans from two different banks namely the State Bank of Mysore (which merged later with SBI) and Corporation Bank by forging registration certificate of the vehicle. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. However, on instructions he would submit that the petitioner is ready to deposit a sum of Rs.5,00,000/- without prejudice to his rights and contentions and that the petitioner has been suffering incarceration for more than 15 days from 18.11.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (CrI. Side) submitted that the petitioner has obtaining two car loans from two different banks by forging registration certificate of the vehicle and the investigation is almost completed.



5. Considering the facts and circumstance of the case and considering the submissions made by the counsel for the petitioner and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) to the credit of Crime No.183 of 2020 and on such deposit, the petitioner is ordered to be released on bail on his executing 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 learned Special Court for CCB and CBCID Cases, Egmore, Chennai, 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 petitioner shall report before the respondent police on every Tuesday and Friday at 10.30 a.m. until further orders. The petitioner is directed to co-operate for the investigation.

(c) After completion of investigation, the said two banks shall withdraw the deposit amount of Rs.5,00,000/- on proportionate ratio on filing of appropriate memo.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 3rd 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;

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

-sd/-

03/12/2021

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

TRUE COPY



TO

1 THE SPECIAL COURT FOR CCB AND CBCID CASES,
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-1,
CHENNAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. C.PRABAKARAN Advocate on payment of necessary
charges

CRL OP.23349/2021

Date :03/12/2021

CSK 06/12/2021