



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.12.2021

WEB COPY

CORAM:

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

Cr1.O.P.No.23639 of 2021

Padinjaraveetil Ravindran @ K.Ravindran

... Petitioner

Vs.

The State by
The Inspector of Police,
Central Crime Branch-1,
Chennai District- CCB.
Crime No.119 of 2008

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to grant bail to the petitioner/accused in Crime No. 119 of 2008 on the file of the Inspector of Police, Central Crime Branch, Chennai District.

For Petitioner : Mr.X.Selvam Sounder

For Respondent : Mr.N.S.Suganthan
Government Advocate (Cr1. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 06.11.2021 for the offences under Sections 465, 468, 471, 420 r/w 120 of IPC, in Crime No.119 of 2008, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner by suppressing already mortgaged property to various financial institutions and also to an individual, again sold the property to the prime accused by producing forged documents. The said prime accused colluded with the petitioner herein obtained loan by producing forged documents before the complainant bank and the loan amount for a sum of Rs.32,75,000/- was sanctioned in favor of prime accused for purchasing the property from the petitioner and thereafter, the prime accused failed to repay the EMI amount from the beginning itself, out of the loan amount Rs.28,00,000/- was paid to this petitioner by way of pay order. The encumbrance certificate do not reflect the mortgage of the property with George Town Cooperative bank and other sales of the property to the individuals. All the documents including the Sale deed executed by the petitioner in favor of prime accused are all bogus documents. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. He further submits that after selling the property, the petitioner has no contact with the prime accused and the petitioner is aged about 73 years. He would further submit that the petitioner has been suffering incarceration for more than 30 days from 06.11.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise objection stating that petitioner had gone to abroad after selling the property, now the petitioner came to India.

5. The learned counsel for petitioner on instructions submits that the petitioner is ready to abide any conditions imposed by this court and also ready to surrender his passport and the petitioner is suffering from medical ailments.

6. Considering the facts and circumstance of the case and also considering the fact that the petitioner has produced his passport before this court and also ready to surrender before the concerned court and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Metropolitan Magistrate Court of CCB & CBCID, Egmore, Chennai and on further conditions that:

(a) the petitioner and his wife shall surrender their passport before the concerned court at the time of getting bail;

(b)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;

(c) the petitioner shall report before the respondent police on every Tuesday and Saturday at 10.30 a.m. until further orders and the petitioner's wife also shall appear before the respondent police as and when required.

(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 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/-

09/12/2021

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 METROPOLITAN MAGISTRATE COURT OF CCB & CBCID EGMORE,
CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

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

4 THE SUPEINTENDENT,
CENTRAL JAIL, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.X.SELVAM SOUNDER Advocate on payment of necessary charges SR.NO.14365

CRL OP.23639/2021

Date :09/12/2021

CSK 09/12/2021