



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM:

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

Cr1.O.P.No.24112 of 2021

Lenin

.. Petitioner

Vs.

State Rep. By
The Sub-Inspector of Police,
K-7, ICF Police Station,
Chennai.
(Cr.No.229 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.229 of 2021 on the file of the respondent police.

For Petitioner : Mr.E.Vinothkumar

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

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 24.11.2021 for the offences under **Sections 406, 468, 471 and 420 of IPC**, in Crime No.229 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused on the promise to getting job in Railways demanded Rs.7,00,000/- from the defacto complainant for which the de facto complainant had given Rs.60,000/- and thereafter, the accused neither secured any job nor returned the amount to the de facto complainant. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner/A2 is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that



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5. Considering the fact that part amount has been recovered and co-accused has been released on bail and that 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 with certain conditions.

(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;

(c) the petitioner shall not tamper with evidence or witness 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.

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-sd/-
13/12/2021

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 V METROPOLITAN MAGISTRATE,
CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE
CHENNAI. [FOR INFORMATION]

3 THE SUB-INSPECTOR OF POLICE,
K-7, ICF POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

+1 CC to MR.E.VINOTHKUMAR, Advocate on payment of necessary charges SR.NO.14547

CRL OP.24112/2021

Date :13/12/2021

TA-14/12/2021