



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24336 of 2021

Dinesh

... Petitioner

Versus

State Rep. By
The Inspector of Police,
Sholavaram Police Station,
Thiruvallur District.
(Crime No.1474 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in the event of their arrest concerned in Crime No.1474 of 2021, on the file of the Inspector of Police, Sholavaram Police Station, Thiruvallur District.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to enlarge the petitioner on bail in the event of their arrest concerned in Crime No.1474 of 2021, on the file of the Inspector of Police, Sholavaram Police Station, Thiruvallur District.

2.The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under sections 406, 417, 420 IPC, in Crime No.1474 of 2021 seeks Anticipatory Bail.

3.The case of the prosecution is that the defacto complainant one Prabakaran, who is doing Finance Business in the name of Indhuja Finance Business Manager (Recovery) lodged a complaint with the respondent police on 08.11.2021 against the petitioner and another person alleging that the petitioner, who is working as a Seizure Agent in the Indhuja Finance without the knowledge of the defacto complainant seized the vehicle and after that sold the vehicle



bearing Registration NO.TN 18 J 6808. Hence the complaint came to be registered.

4.The learned counsel appearing for the petitioner submits that the petitioner is falsely implicated in this case. He further submits that after seizure of the vehicle he handed over the same to one Sunil Kothra, who is working as a Seizure Agent Head in the defacto complainant's company. He is no way connected with the above said offence and he will co-operate for the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor opposed for grant of anticipatory bail to the petitioner.

6.Considering the facts and circumstances of the case, investigation is almost completed, this Court is inclined to grant Anticipatory Bail to the petitioner with the following conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate No.II, Ponneri**, on condition that the petitioner shall execute a bond for sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties for a like sum each to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to appear before the respondent police on every Tuesday and Saturday at 10.30 a.m, until further orders.

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
14/12/2021

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 JUDICIAL MAGISTRATE,
NO.II, PONNERI, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S.P.CHANDRA SEKAR Advocate on payment of necessary charges SR.NO.14850

CRL OP.24336/2021

Date :14/12/2021

TA-20/12/2021