



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.24301 of 2021

Balamurugan

... Petitioner

Versus

State Rep. By
The Inspector of Police,
DCB Villupuram Police Station,
Villupuram.
(Crime No.34 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner/accused on bail in the event of arrest by the respondent police in Crime No.34 of 2021 pending investigation before the respondent police.

For Petitioner : Mr.A.Anandraj

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to enlarge the petitioner/accused on bail in the event of arrest by the respondent police in Crime No.34 of 2021 pending investigation before the respondent police.

2.The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under sections 420, 294 (b), 506(i) IPC, in Crime No.34 of 2021 seeks Anticipatory Bail.

3.The case of the prosecution is that the defacto complainant had deposited a sum of Rs.1,92,000/- to one P.Rajendra Prakash during the year 2016, which clearly depicts that the occurrence period relates to 2016 for getting a job.

4.The learned counsel appearing for the petitioner submits that the petitioner is a Doctor by profession and he is a medical expert of child care and also working as Senior Assistant Professor of



Government Villupuram Mundiampakkam Medical College Hospital and Research Institute. He is no way involved in the alleged occurrence. 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 stating that by giving a false promise that he would get a job for the defacto complainant, for which the petitioner had received a sum of Rs.6 lakhs.

6. The learned counsel appearing for the petitioner pointed out that no amount was transferred to the account of petitioner herein, who is a Government Doctor by profession. It reveals that the amount was transferred to the Indian Bank Account of one P.Rajendra Prakash. The petitioner and his father are close relatives and the petitioner being the Doctor by profession, he also dragged, this Court finds that if the petitioner is released on bail, there is no possibility of abscond.

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

8. 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.I, Tindivanam**, 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 Sunday 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.I, THINDIVANAM, VILLUPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DCB VILLUPURAM POLICE STATION,
VILLUPURAM.

+1 CC to M/S.A.ANANDRAJ Advocate on payment of necessary charges SR.NO.14716

CRL OP.24301/2021

Date :14/12/2021

TA-20/12/2021S