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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

[Crl.O.P.No.24422 of 2021](#)

Paranthaman

...Petitioner

Versus

State Represented by
Inspector of Police,
Arcort Town Police Station
Arcot Ranipet District.
Cr.No.519 of 2021.

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest by the respondent police in Cr.No. 519 of 2021 on the file of the respondent police.

For Petitioner : M/s.S.P.Arthi

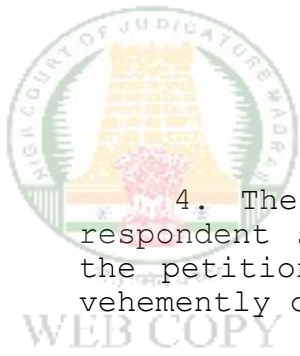
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 409, 418 and 420 of IPC in Crime No.519 of 2021., on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had pledged gold and availed a sum of Rs.1,55,000/- from the City Union Bank. Further, on verification, it came to light that gold that was pledged was not original. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner accompanied with A1, A2 had availed loan for a sum of Rs.1,55,000/ by giving duplicate jewels. He further submitted that the petitioner to show his bonafide had deposited a sum of Rs.2,00,000/- to the credit of his account, requesting the bank to give credit of the said sum towards loan. . Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent submitted that there is no previous case pending against the petitioner and the investigation is almost completed. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the entire loan amount has been deposited and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Arcot Court, Ranipet District, on condition that the petitioner shall execute 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 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 is directed to produce the original receipts of the deposited amount, at the time of executing the sureties..

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Tuesday at 10.30 a.m., until further orders. .

[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].



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

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-sd/-
15/12/2021

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,
ARCOT, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION,
ARCOT, RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.P.ARTHI Advocate on payment of necessary charges
SR.NO.14987

CRL OP.24422/2021

Date :15/12/2021

CSK 22/12/2021