



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.12.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24832 of 2021

R.Veerappan

... Petitioner

Versus

State Rep by  
The Inspector of Police,  
Central Crime Branch,  
Chennai 600 007, (Team -II),  
Chennai 600007  
(Crime No.54 of 2018)

... 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 in Crime No.54 of 2018 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Rajasekaran

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 under section 465, 468, 471, 420 r/w. 34 IPC, in Crime No.54 of 2018 seeks anticipatory bail.

2.The case of the prosecution is that on 28.08.2017, the petitioner filed a Motor Accident Claim Petition in MCOP.No.4782 of 2004 stating that while he was traveling in his two wheeler, an Ambassador Car bearing Reg.No.TNU581 dashed upon his vehicle and sustained several injuries. For which a complaint was registered in Crim No.1059 of 2003. Based upon FIR, claim petition was filed by the petitioner. Subsequently, during investigation, the insurance company



found that on the day of accident, the petitioner's vehicle was dashed by another two wheeler not four wheeler. In the mean time, the claim petition was allowed and directed to pay the claim amount to the petitioner by the United Insurance Company. Hence, the complaint.

3.The learned Counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, they prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that investigation has been completed and there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering that the accident was happened in the year 2003, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the Tambaram Judicial Magistrate on condition that the petitioner shall execute a bond for 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 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police on every Wednesday.

(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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-  
17/12/2021

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,  
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,  
CENTRAL CRIME BRANCH (TEAM-II),  
CHENNAI-600 007

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.R.RAJASEKARAN Advocate on payment of necessary charges SR.NO.15104

CRL OP.24832/2021

Date :17/12/2021

JPA 29/12/2021