



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25466 of 2021

1.S.V.Ramesh
2.Sivakami Ramesh

... Petitioners

Versus

The Central Crime Branch - I,
The Police Commissioner Office,
Team - II, EDF,
1st Floor, Room No.1C,
Vepery, Chennai - 600 007.
(Crime No.226 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.226 of 2021 pending investigation on the file of the respondent police.

For Petitioners: Mr.Sudharsana Sunder

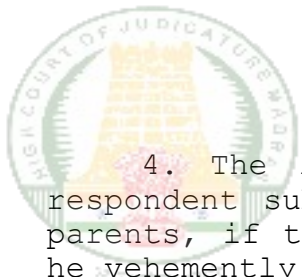
For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 34, 406 and 420 of IPC in Crime No.226 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 03.09.2021 the defacto complainant is the son of the petitioners. The defacto complainant has filed a complaint of Cheating, Misappropriation of money, Criminal Intimidation, Cruelty and Causing mental torture to the Commissioner of Police, Greater Chennai Police. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent submitted that the son is given the complaint against the parents, if they released on bail they were not absconding. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, on seeing the facts the defacto complainant and the petitioners are close family members, there is some dispute between the money transaction, if they release on bail, they would not abscond, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned CCB & CBCID Court at Chennai, on condition that the petitioners 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 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 1st petitioner shall report before the respondent police on every Tuesday and Friday at 10.30 a.m., until further orders and the 2nd petitioner shall report before the respondent police as and when requires for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
23/12/2021

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 CCB & CBCID COURT,
CHENNAI.

2 THE CENTRAL CRIME BRANCH-I,
THE POLICE COMMISSIONER OFFICE,
TEAM-II, EDF,
1ST FLOOR, ROOM NO.1C,
VEPERY, CHENNAI-600 007

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.SUDHARSANA SUNDER Advocate on payment of necessary charges SR.NO.15565

CRL OP.25466/2021

Date :23/12/2021

INBA-04/01/2022