



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 17/12/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVA**

Crl.OP(MD)No.16521 of 2021

J.Suresh

...Petitioner/Accused No.11

Vs.

State Rep. by
The Inspector of Police,
CCB P.S, Madurai City.
(In Crime No.43 of 2020)

...Respondent/Complainant

For Petitioners : Mr.K.Samidurai, Advocate

For Respondent : Mr.S.S.Madhavan
Government Advocate(Criminal side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.43 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A11 apprehending arrest at the hands of the respondent police for the offences punishable under sections 120(b), 406, 467, 468, 471 and 420 in Crime No.43 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there are 11 accused in this case. The petitioner is A11, who is the Panel Engineer of Karur Vysya Bank. The petitioner in collusion with other accused gave a valuation certificate in the capacity of a panel Engineer in connection with housing loan to the tune of Rs.62,000/-. The co-accused namely A6 was released on anticipatory bail.

3.Reading of the FIR shows that this petitioner along with the bank officials and house owner went for valuation and they showed him a building and he has also valued and given his report, without verifying the survey number. So the veracity of the allegation can only be found out during the course of investigation. In this case, the co-accused namely A6 has been released on anticipatory bail.



4.The entire CD file has also been perused. Perusal of the CD file, we see that this petitioner alleged to have given a valuation certificate without actually identifying the survey number involved in the above said loan transaction. So it is true that the petitioner signed in the valuation certificate without verifying the property, which has been shown as security.

5.According to the petitioner, if it was a bona fide mistake on his part, for which, he can be dealt only departmental action and no criminal cause will lie against him. Whether the petitioner is actually involved in the above said conspiracy of cheating or not is a matter for consideration during trial. Now the entire case rests upon the documentary evidence, for which the custodial interrogation of the petitioner may not be required.

6.In the view of the above, I am inclined to **grant anticipatory bail** to the petitioner with certain 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.I, Madurai and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-

17/12/2021

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
CCB POLICE STATION, MADURAI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-9457[I] dated 17/12/2021)

ORDER
IN
CRL OP(MD) No.16521 of 2021
Date :17/12/2021

PKP/JC/SAR-3/05.01.2022/3P/6C