



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.01.2022

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CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1292 of 2022

K.Muruganandham

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Distrit Crime Branch,
Thiruvallur District.
Crime No.80 of 2021.

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on anticipatory bail in the event of his arrest or his appearance before any Court in connection with the case in Crime No.80 of 2021 which is pending on the file of the respondent Police .

For Petitioner : Mr.I.Periyasamy

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

For Intervenor : Mr.K.G.Senthil Kumar,

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 465, 468 and 506(i) of IPC, in Crime No.80 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with others cheated the defacto complainant by receiving a sum of Rs.8,00,000/- on the assurance of securing a job for the son of the defacto complainant in the Railway Department. It is further alleged that the defacto complainant introduced various persons who paid total amount of Rs.58,71,000/-. Thereafter, an appointment order from Western Railway was given for Kalasi Job at Ratlan Railway Station at Gujarat and when the defacto complainant verified with the Railway Department, he came to know that he was cheated by the petitioner.



The defacto complainant demanded to repay the money, due to which, the petitioner along with others criminally intimidated him. Hence, the complaint.

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

4. The learned Government Advocate (Crl side) on instructions submits that the petitioner along with others have cheated many persons to the tune of Rs.58,71,000/- .

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the **learned Judicial Magistrate No.I, Ponneri, Thiruvallur**, 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 and on further condition that:

[a] the petitioner is directed to deposit a sum of **Rs.5,00,000/- (Rupees One Lakh fifty only)** to the Crime No.80 of 2021 on the file of the learned Judicial Magistrate No.I, Ponneri, Thiruvallur, within a period of fifteen (15) days after lifting of lock down or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

[b] the petitioner is directed to deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs only)** by way of title deed in his name;

[c] 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;



[c] the petitioner shall report before the respondent police every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation;

[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 has been imposed and the petitioner is 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-
27/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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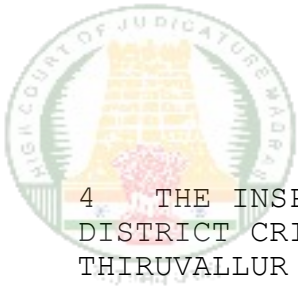
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, PONNERI, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVALLUR DISTRICT.

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+1 CC to M/S PERIASWAMY I. Advocate on payment of necessary
charges SR.NO.1381

CRL OP.1292/2022

Date :27/01/2022

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