



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1028 of 2022

Mani

...Petitioner

Versus

State rep by its
The Assistant Commissioner of Police
Forged Document Investigation
Central Crime Branch - I
Chennai.
Crime No.137 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 arrest concerned in Crime No.137 of 2021 on the file of the respondent police, Forged Document Investigation Team-27, Central Crime Branch Chennai.

For petitioner : M/s.B.Sridhar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 465, 468, 34 r/w 109 of IPC in Crime No.137 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that one Mr.Manikandan lodged a complaint against the petitioner and his father before the respondent police stating that the petitioner's father and others for allotting the Houses in Tamilnadu Housing Board. After receiving the amount the amount they were not allotting the house to the depositors either they were repaying to them. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he is an innocent and he has been falsely implicated in this case. The learned counsel, on instructions, would further



submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of the Crime Number 137 of 2021. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is the son of A1 and the petitioner along with other accused persons had received the money from the defacto complainant and others and cheated them. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the investigation is almost completed and the petitioner is ready and willing to deposit a sum of Rs.10,00,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, each of the petitioner is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.137 of 2021, within a period of three weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the CCB and CBCID Metropolitan Magistrate, Egmore, Chennai, 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 shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Cr.No.137 of 2021 before the CCB and CBCID Metropolitan Magistrate, Egmore, Chennai, within a period of three weeks from the date on which, the order copy was made ready.

[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 appear before the respondent police on every Monday, Wednesday and Saturday 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.

-sd/-

31/01/2022

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 AND CBCID METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE ASSISTANT COMMISSIONER OF POLICE,
FORGED DOCUMENT INVESTIGATION,
CENTRAL CRIME BRANCH - I, CHENNAI.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.B.SRIDHAR Advocate on payment of necessary charges
SR.NO.1620

CRL OP.1028/2022

Date :31/01/2022

INBA~07/02/2022