



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

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

Cr1.O.P.No.1788 of 2022

G.Jathish

...Petitioner

Vs.

State rep. by
The Inspector of Police,
CCB - Job Rocket, Veppary,
Chennai.
(Crime No. 246 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, in Crime No. 246 of 2021 pending investigation on the file of the Respondent police.

For Petitioner : M/s.P.K.Rajangam
for Mr.V.T.Narendran

For Respondent : Mr.N.S.Suganthan
(Government Advocate Cr1. Side)

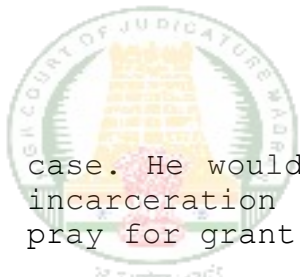
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 28.12.2021 for the offences under Sections 406, 420, 465, 468 r/w 34 of IPC, in Crime No. 246 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused collected huge amount from the defacto complainant and other job aspirants under the guise of securing job in the Government Departments and thereafter, cheated them. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The petitioner is only introduced A2 who inturn introduced A1 to the defcato complainant and that the petitioner is no way connected with A1 and he has been falsely implicated in this



case. He would further submit that the petitioner has been suffering incarceration for more than 30 days from 28.12.2021. Hence, would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would raise objection stating that there are totally 5 victims and the amount involved is Rs.22,20,000/-. A1 has received a sum of Rs.3,30,000/- from the defacto complainant on the false promise of getting Government job through bank transaction and the petitioner is the one who A1 to the defacto complainant but admits that the investigation is almost completed.

5. Considering the fact above facts and circumstances of the case and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

(a) Accordingly, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter on his release;

(b) the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand Only) to the credit of Crime No.246 of 2021 and on such deposit, the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned CCB & CBCID Metropolitan Magistrate, Egmore, Chennai, within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner shall report before the respondent police on every Tuesday and Friday at 10.30 a.m. until further orders.

(e) the defacto complainant is permitted to withdraw the deposit amount of Rs.30,000/- (Rupees Thirty Thousand Only) on proper identification and acknowledgement.

(f) the petitioner shall not commit any offences of similar nature;

(g) the petitioner shall not abscond either during investigation or trial;

(h) the petitioner shall not tamper with evidence or witness either during investigation or trial;



(i) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-

28/01/2022

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 & CBCID METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CCB JOB ROCKET, VEPERY, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL JAIL, PUZHAI, CHENNAI.

+1CC to M/S.P.K.RAJANGAM Advocate on payment of necessary charges SR.No.1308

CRL OP.1788/2022

Date :28/01/2022

CSK 31/01/2022