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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

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

Cr1.O.P.No.2037 of 2022

R.Venkat Siva Subramanian

.. Petitioner

Vs.

State represented by
Inspector of Police,
Guindy Police Station.
Crime No.921 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police in Cr.No.921 of 2020 on the file of the respondent police.

For Petitioner : Mr. B.Manoharan

For Respondent : Mr. A.Gokulakrishnan
Additional Public Prosecutor

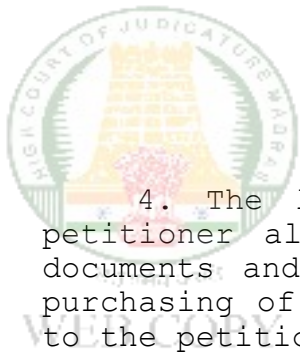
ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 of I.P.C, in Crime Number 921 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein colluded with other accused and obtained signature from the defacto complainant thereby allegedly availed loan and utilized the same. Hence, the defacto complainant lodged a complaint against the accused persons.

3. The learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case and he has not committed any offence as alleged by the prosecution. He further submits that co-accused enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that the petitioner along with other accused persons have created a forged documents and cheated the defacto complainant for getting loan for purchasing of car. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that co-accused enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 Metropolitan Magistrate No.IX, Saidapet 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 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;

[b] the petitioner shall appear before the respondent police on every Wednesday at 10.30.am., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 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;



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

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-sd/-

02/02/2022

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 METROPOLITAN MAGISTRATE
NO.IX, SAIDAPET.

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

3 THE INSPECTOR OF POLICE,
GUINDY POLICE STATION, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. M.SAKTHIVEL Advocate on payment of necessary charges

CRL OP.2037/2022

Date :02/02/2022

CSK 11/02/2022