



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1981 of 2022

K.Palaniappan

... Petitioner

Versus

State by
The Inspector of Police,
Central Crime Branch, (Team-II)
Chennai 600 007.
(Crime No.54 of 2018)

... 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 his arrest by the respondent police pending investigation in Crime No.54 of 2018 on the file of Team-II, Central Crime Branch, Vepery, Chennai - 600 007.

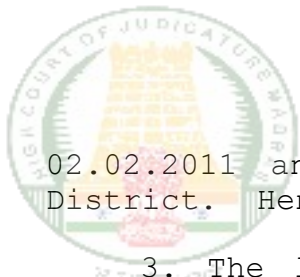
For Petitioner : Mr.R.Rajasekaran

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 465, 468, 471, 420 r/w 34 of IPC in Crime No.54 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that one G.Senthil has lodged a complaint on 28.08.2017 that the 1st accused filed a Motor Accident Claim Petition in MCOP No.4782 of 2004 that on 05.09.2003 when the first accused Veerappan was travelling in his two wheeler Bike near Tambaram Kadaperi an Ambassador dashed upon his vehicle and he sustained more injuries and he was taken to Chrompet G.H. Then he was shifted to Appollo Hospital. His friend Somasundaram gave complaint and the same was registered in another crime number. Subsequently during investigation the insurance company found that on the day of accident, A1 vehicle was dashed by another two wheeler not four wheeler. So Insurance company lodged a complaint before Commissioner on 28.10.2010 and then it was referred to CBCID on



02.02.2011 and then investigation was transferred to Kancheepuram District. 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 has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the complaint given by the Insurance Authorities, investigation was transferred to CCB, Chennai in the year of 2018 itself, there is no possibility of tampering evidence. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is directed 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 - I, Tambaram, 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 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;

(b) the petitioner shall report before the respondent police monthly twice in the morning at 10.30 a.m., 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 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]; and;



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

WEB COPY

-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 JUDICIAL MAGISTRATE-I,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH (TEAM - II),
CHENNAI 600007.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.RAJASEKARAN Advocate on payment of necessary charges SR.No.1482

CRL OP.1981/2022

Date :31/01/2022

CSK 04/02/2022