



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

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

Crl.O.P.No.2356 of 2022

Sekar

...Petitioner

Vs.

The State rep by
The Inspector of Police,
District Crime Branch,
Krishnagiri District,
Krishnagiri.
(Crime No.09 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation, in Crime No.09 of 2021 on the file of the Respondent police.

For Petitioner : Mr.M.P.Saravanan

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

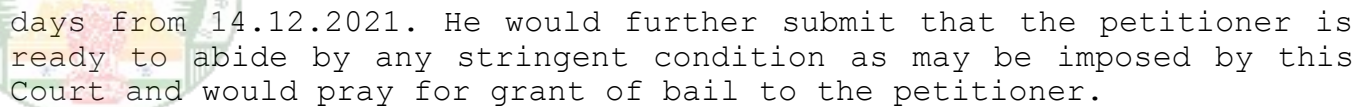
O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 14.12.2021 for the offences under Section 420, 471 of IPC , in Crime No.09 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 on the false assurance of securing Government Job cheated the defacto complainant to the tune of Rs.4 lakhs. Further, the accused have cheated 4 victims to the tune of Rs.16,90,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him and that the petitioner has been suffering incarceration for more than 50



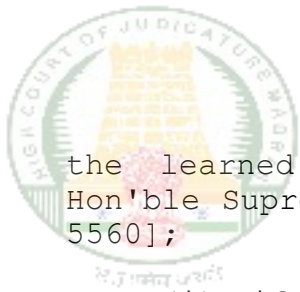
5. Considering the above facts and circumstances of the case and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

(b) the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) to the credit of Crime No.09 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 Judicial Magistrate-II, Krishnagiri, 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;

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

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

(h) 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];

(i) 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/-

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 JUDICIAL MAGISTRATE,
NO.II, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.2356/2022

Date :02/02/2022

RW 03/02/2022