



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.3774 of 2022

1 MOHAMMED YUNUS

[PETITIONERS / ACCUSED]

2 HASAN MOHAMMED IMTHIYAS

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,

J-9, THURAIBAKKAM POLICE STATION,

CHENNAI

(CRIME NO.15/2022)

For Petitioner : M/S S.SURESH Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

For Intervenor : M/S T.RAMACHANDRAN Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 406 & 420 of IPC in Crime No.15 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioners are arrayed as Accused No.3 & 4 for the alleged occurrence of cheating which took place in the year 2012. Admittedly, on the date of occurrence, the petitioners were minors.

3.The learned Counsel appearing for the intervenor submitted that though they are minors at the time of the occurrence, they have knowledge about the money transactions.

4. Considering the facts and circumstances of the case, this Court is of the view that the petitioners are entitled to anticipatory bail petition with a condition that the petitioner should report before the respondent police as and when required for interrogation.



5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate No.1, Alandur on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-each (Rupees Twenty Five 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 petitioners and the sureties shall affix his 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer as and when required for interrogation.

(d) the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners 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.

-sd/-

28/02/2022

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. I, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 INSPECTOR OF POLICE,
J-9, THURAIBAKKAM POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.SURESH Advocate on payment of necessary charges
Sr.3134

CRL OP.3774/2022

Date :28/02/2022

RVR 04/03/2022