



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4496 of 2022

RAJAPPAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
OOMANGALAM POLICE STATION,
CUDDALORE DISTRICT.
(CRIME NO.102 OF 2022)

[RESPONDENT]

For Petitioner : M/S.M.MUTHUKRISHNAN Advocate

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

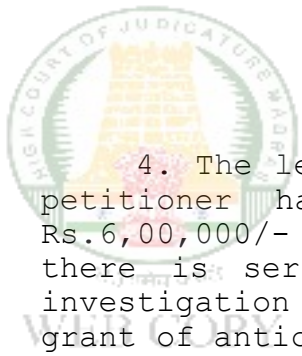
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offences under Sections 294(b), 417, 420, 506(ii) of IPC in Crime No.102 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner by giving false promise to the defacto complainant for getting Government job in Neyveli Lignite Corporation, for that, the petitioner received a sum of Rs.6,00,000/- from the defacto complainant. However, he neither secured job nor returned the money to the defacto complainant. 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. He further submits that he has returned Rs.2,00,000/- to the defacto complainant's brother on 29.10.2021. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the petitioner had cheated the defacto complainant for a sum of Rs.6,00,000/- for getting Government job. He further submitted that there is serious allegation made against the petitioner and the investigation is still pending. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

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

5. Accordingly, the petitioner is 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 Cum District Munsif, Neyveli, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- only (Rupees Fifty 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 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(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 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/-
14/03/2022

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 CUM DISTRICT MUNSIF,
NEYVELI, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
OOMANGALAM POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.MUTHUKRISHNAN Advocate on payment of necessary charges SR.No.3902

CRL OP.4496/2022

Date :14/03/2022

CSK 18/03/2022