



5. The petitioner was working as a collecting agent of Ujjivan Small Finance Bank Limited. The complaint was given by the District Legal Services Authority, Cuddalore, on the ground that forged summons were created as if the defaulters of the Bank are being called for attending a Lok Adalat conducted by the District Legal Services Authority, Cuddalore. The main issue which requires the consideration of this Court is as to who was instrumental in fabricating the summons.

6. While considering this issue, this Court has to necessarily take into consideration the earlier order passed by this Court in CrI.O.P.No. 8437 of 2022, wherein A3 was granted bail by this Court. A3 had taken a stand that it was the petitioner, who was instrumental in fabricating the summons. Except for the statement made by A3, there is no other differentiating factor between the petitioner and A3. This material fact was not taken into consideration when the earlier bail petition was dismissed by this Court on 06.05.2022.

7. The petitioner has already suffered incarceration for nearly 57 days and no useful purpose will be served by keeping the petitioner behind bars. It will be rather beneficial to impose stringent conditions on the petitioner so that there will be progress in the investigation and the absconding accused can also be secured in the meantime.

8. In view of the above discussion, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate-II, Cuddalore and on further conditions 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 daily 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
18/05/2022

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,
CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE,
CUDDALORE DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, CUDDALORE.

4 THE SUB INSPECTOR OF POLICE,
CUDDALORE NT POLICE STATION,
CUDDALORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.C.D .JOHNSON Advocate on payment of necessary charges Sr.7268

CRL OP.11559/2022

Date :18/05/2022

srg 18/05/2022