



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11742 of 2022

A.MANNU

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TEAM -XVI,
VEPERY, CHENNAI-600 007.
CRIME NO.392/2015.

For Petitioner : M/S.KRITIKA KAMAL.P Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

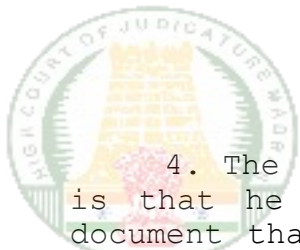
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 25.04.2022, for the alleged offence under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC in Crime No.392 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 created a fake power of attorney document and the petitioner stood as an attesting witness for the said power of attorney document. Ultimately, this document was used and the property was sold in favour of A3 and A4. Subsequently, A3 and A4 obtained loan by mortgaging the property. There are totally 6 accused persons in this case and the petitioner has been arrayed as A6.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.



4. The only allegation that has been made against the petitioner is that he stood as attesting witness for the power of attorney document that was fabricated by the impersonator/A1. A1 has already been secured by the respondent police. It is stated that A2, A4 and A5 are still absconding. The crime was registered in the year 2015 and the investigation is still pending. The petitioner has already suffered incarceration for nearly 25 days and the previous case that has been put against the petitioner relates to the offences under Mines and Minerals Act. No useful purpose will be served in continuing with the incarceration of the petitioner and it will not in any way help any progress in the investigation.

5. In view of the above, this Court is inclined to enlarge the petitioner on bail subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Metropolitan Magistrate (Land Grabbing Court - II) (FAC) Egmore at Allikulam, 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 on every Friday 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.

-sd/-

19/05/2022

WEB COPY

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 SPECIAL METROPOLITAN MAGISTRATE,
(LAND GRABBING COURT-II) (FAC),
EGMORE, AT ALLIKULAM, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, TEAM -XVI,
VEPERY, CHENNAI-600 007.

5 THE OFFICER INCHARGE
SUB JAIL, MADURANTHAGAM.

+1 CC to M/S.KRITIKA KAMAL.P Advocate on payment of necessary charges SR.NO.7560

CRL OP.11742/2022

Date :19/05/2022

TA-23/05/2022