



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of June Two Thousand Twenty Two

PRESENT

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

CRIMINAL ORIGINAL PETITION No.13118 of 2022

M.DINESH

[PETITIONER/ACCUSED]

Vs

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
4VRV+4JR, CHINNA EKKADU,
JAYA NAGAR, THIRUVALLUR,
TAMIL NADU 602 001.

[RESPONDENT]

For Petitioner : M/S.A.ARASU SANGA TAMIL Advocate

For Respondent : M/S.R.KISHORE KUMAR, Govt. Advocate (Crl. Side)

For Intervener : M/S.G.ILAMURUGU, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 406, 417 and 34 of IPC in Crime No.50 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. This is the third anticipatory bail application was filed before this Court. The case of the prosecution is that the petitioner along with another induced the defacto complainant and collected a sum of Rs.84,65,000/- from the defacto complainant that he will get medical seats in Saveetha College for his son and for his son's friend. Thereby, he provided fake confirmation letter and cheated the money. Hence, the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of Rs.25,00,000/- to the credit of the crime number. Hence, he prays for grant of anticipatory bail to the petitioner.

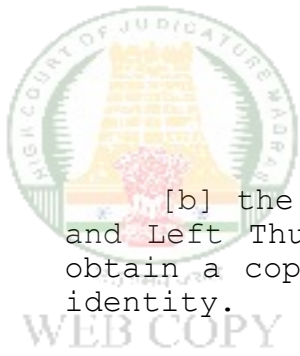
4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that more than Rs.84,00,000/- was involved in this case. He further submitted that earlier applications were dismissed by this Court in Crl.O.P.Nos24875 of 2021 and Crl.O.P.No.7361 of 2022. He further submitted that the investigation is almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the Intervenor submitted that the huge amount was collected from the defacto complainant that he will get medical seats in Saveetha College for his son and for his son's friend. Thereby, he provided fake confirmation letter and cheated the money. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the petitioner is ready and willing to deposit a sum of Rs.25,00,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-1, Tiruvallur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner shall deposit a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) to the credit of Cr.No.50 of 2021 before the learned Judicial Magistrate-1, Tiruvallur, within a period of four weeks from the date of receipt of a copy of this order and the defacto complainant is permitted to withdraw the above said amount on proper identification and to file an affidavit of undertaking before the trial Court.



[b] the petitioner and 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.

[c] the petitioner is directed to appear before the respondent police daily at 10.30 a.m., until further orders. .

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

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

-sd/-

16/06/2022

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, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
4VRV+4JR, CHINNA EKKADU,
JAYA NAGAR, THIRUVALLUR,
TAMIL NADU 602 001.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

+1 CC to M/S.J.YAMINI JAI DIVYA Advocate on payment of necessary
charges SR.NO. 9573

+1 CC to M/S.G.ILAMURUGU Advocate on payment of necessary
charges SR.NO. 9280

CRL OP.13118/2022

Date :16/06/2022

RW-21/06/2022