



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12707 of 2022

B.GOKUL

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
EDF II, TEAM-III, VEPERY,
CHENNAI.
(CR.NO.213 OF 2018)

[RESPONDENT]

For Petitioner : M/S.K.KARTHIK Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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 offences punishable under Sections 420, 294 (b), 506(ii) of IPC in Crime No.213 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with two accused persons have received a sum of Rs.31,00,000/- and also 40 sovereigns of jewels. The first accused filed a petition before this Court in CrI.O.P.No.21917 of 2018 and the same was allowed on 06.01.2022. As far as the petitioner is concerned, he was served with notice under Section 41 A of Cr.P.C. The petitioner who apprehends arrest at the hands of the respondent police. Hence, this complaint.

3. The learned counsel for the petitioner would submit that the petitioner's name was not in FIR and he is no way connected with the above said alleged offence. Further, the petitioner is an innocent person and he is falsely implicated as an accused in the said crime. Therefore, he prays for anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner has received some part of amount from the defacto complainant and cheated. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. 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 on which the order copy made ready, before the learned CCB/CBCID Magistrate Court, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood 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 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.

[b] the petitioner shall report before the respondent police daily Morning at 10.30 a.m. and Evening at 5.30 p.m for a period of two weeks and thereafter as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
17/06/2022

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 CCB & CBCID METROPOLITAN MAGISTRATE,
CHENNAI.

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

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, EDF II,
TEAM-III, VEPERY, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.K.KARTHIK Advocate on payment of necessary charges
SR.No.9499

CRL OP.12707/2022

Date :17/06/2022

CSK 24/06/2022