IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.No.14532 of 2022

O.Om Vignesh Kumar
..Petitioner

Vs.

The Inspector of Police,
Bank Fraud Prevention Team-31,
Central Crime Branch,
Egmore, Chennai
Crime No.166 of 2020 ..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.166 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Kannabiran

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.04.2022 for the offences punishable under Sections 419, 420, 465, 467, 468, 471 of IPC in crime No.166 of 2020 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner along with another availed durable loan of Rs.88,115/- from the defacto complainant (HDFC Bank) by furnishing fake document i.e. telephone bills. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner, by giving fake document i.e. telephone bill as if he is residing in that particular address, obtained durable loan and the petitioner also failed to repay the said amount. He would further submit that the petitioner has two previous cases similar in nature. Hence, he vehemently opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e 29.04.2022, this Court is inclined to grant bail to the petitioner. Accordingly, 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 blood related sureties, each for a like sum to the satisfaction of CCB & CBCID Court, Egmore, Chennai 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. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

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

[d] the petitioner shall not tamper with evidence or witness 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/-
24/06/2022

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 COURT,
EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE
BANK FRAUD PREVENTION TEAM 31,
CENTRAL CRIME BRANCH,
EGMORE, CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON,PUZHAL, CHENNNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.KANNABIRAN Advocate on payment of necessary charges SR.No.9972

CRL OP.14532/2022

Date :24/06/2022

CSK 27/06/2022