



Crl.OP.No.16274 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2022

CORAM

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

Crl.OP.No.16274 of 2022

M.Murugesan

...Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Bank Fraud Investigation Team -XI,  
CCB, Chennai.  
Crime No.193 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.193 of 2020 on the  
File of the Respondent.

For Petitioner : Mr.R.Mukesh Kannnah

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



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**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 25.04.2022 for the offences punishable under Sections 420, 465, 467, 468, 471 and 120(B) IPC in crime No.193 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner running a business in the name of M/s. Manonmani Engineering Works. It is alleged that the petitioner approached the defacto complainant's bank by producing fabricated documents and obtained a loan for a sum of Rs.48 lakhs. Thereafter, the petitioner had not repaid the loan amount.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 25.04.2022. However, he would submit that the petitioner is ready and willing to deposit the original title deeds as security. Therefore, he prays to grant anticipatory bail to the petitioner



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4. The learned Additional Public Prosecutor would submit that totally there are three accused and the petitioner is first accused. The petitioner along with other accused persons raised fake bills and produced before the defacto complainant's to avail loan to the tune of Rs.48 lakhs. Thereafter, the accused persons failed to pay any single paise. 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, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is directed to **deposit original title deed** (stands in the name of the petitioner or in name of his friends or relatives) to the worth of Rs.50 lakhs along with the valuation certificate obtained from the authority concerned and on such deposit, 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 the learned



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**Metropolitan Magistrate for Exclusive Trial of CCB Cases, 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., until further orders.**

[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.

**14.07.2022**

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To

1. Metropolitan Magistrate for Exclusive Trial of CCB Cases,  
Egmore, Chennai
2. The Inspector of Police,  
Bank Fraud Investigation Team -XI,  
CCB, Chennai.
3. Central Prison -II,  
Puzhal.
4. The Public Prosecutor,  
High Court of Madras



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**G.K.ILANTHIRAIYAN, J.**

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