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CrI.OP.No.19283 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

CrI.OP.No.19283 of 2022

Arun Bala Singh

...Petitioner

Vs.

State represented by
The Sub Inspector of Police,
K-4, Anna Nagar Police Station (Crime),
Chennai - 600 001.
(Crime No.22 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.22 of 2022 pending
on the file of Respondent Police.

For Petitioner :Mr.R.Aranganathan

For Respondent :Mr. A.Gopinath
Govt. Advocate (CrI.Side)

For Intervenor :Mr. John Joseph



ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.07.2022 for the offences punishable under Sections 408 of IPC in Crime No.22 of 2022 on the file of the respondent police, seeks bail.

2. It is seen that, a complaint was lodged on 13.09.2021, alleging that the petitioner had absconded with money to the tune of Rs. 7 lakhs and gold ornaments weighing about 27.780 grams when he was working as an Office Assistant in the defacto complainant's branch, Coimbatore. Hence, the case

3. The learned counsel for the petitioner submitted that the petitioner had borrowed a sum of Rs. 10 lakhs from the defacto complainant for his daughter's marriage on execution of promissory note. Thereafter, the defacto complainant filed a vexatious civil suit in O.S.No.940 of 2021 on the file of the learned III Additional District Judge, Coimbatore. While pending the same, the present false complaint has been lodged without any iota of evidence. Hence, he prays for grant of bail to the petitioner.



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4. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner and also considering that civil suit is pending, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner shall deposit **a sum of Rs.2,00,000/- (Rupees Two Lakh only), to the credit of the Crime No.22 of 2022**, 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 **5th Metropolitan Magistrate of Chennai at Egmore** 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 without prejudice to his defence shall deposit a sum of **Rs.2,00,000/-(Rupees Two Lakh only), to the credit of the Crime No.22 of 2022.**



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[c] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[e] the petitioner shall not tamper with evidence or witness 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.

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To

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1. V Metropolitan Magistrate at Chennai,
Egmore.
2. The Sub Inspector of Police,
K-4, Anna Nagar Police Station (Crime),
Chennai - 600 001.
3. Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.19283 of 2022

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