



Crl.OP.No.19625 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

CORAM

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

Crl.OP.No.19625 of 2022

R.Sureshkumar @ Daniel

...Petitioner

Vs.

State Rep. by:
The Inspector of Police,
EDF-II, Team IV,
Central Crime Branch,
Egmore, Chennai-8.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner/accused on bail in CCB Crime No.109 of 2022 on the file of the respondent police.

For Petitioner :Mr.S.Jeyachandran.

For Respondent :Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner was arrested and remanded to judicial custody on 23.06.2022 for the offences punishable under Sections **406, 420, 465, 467, 468, 471 read with Section 34 of IPC** in CCB Crime No.109 of 2022 on the file of the respondent police, seek bail.



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2. The case of the prosecution is that, the petitioner along with other accused colluded together representing the non-existing companies namely FESA Industries Pvt.Ltd and Fedele Express Line Pvt Ltd., and thereby colluded together and made the *de-facto* complainant to provide services by investing money for good returns. Believing their words, the *de-facto* complainant has paid Rs.4,26,07,438/- for the shipment of Cargo, for which the accused persons had issued a cheques to the tune of Rs.4,33,70,990/-. It is alleged that there was no shipment of the Cargo and it is further alleged that the documents furnished by the accused are forged. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that, apart from this case, the accused persons



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were involved in similar offence in several other cities also. He further submitted that a total sum of Rs.4 crores have been cheated by the accused person. Hence, he vehemently opposed for granting 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., 23.06.2022, 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 sureties**, each for a like sum to the satisfaction of the **CCB/CBCID Metropolitan Magistrate Court of Egmore at Chennai - 8**, 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 twice daily at 10.30 a.m. and 5.30 p.m. for a period of six weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation



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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.

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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The CCB/CBCID Metropolitan Magistrate Court of Egmore
at Chennai - 8.
- 2.The Inspector of Police,
EDF-II, Team III,
Central Crime Branch,
Egmore, Chennai-8.
3. Puzhal Central Jail Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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