



WEB COPY



Crl.OP.No.20054 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

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

Crl.OP.No.20054 of 2022

Chandru

...Petitioner

Vs.

State Rep. by Inspector of Police,
District Crime Branch, Vellore,
Vellore District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.3/2022 pending investigation on the file of the respondent.

For Petitioner :Mr.E.Kannadasan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 04.07.2022 for the offences punishable under Sections **170, 171, 406, 419, 420 & 120(B) of IPC** in Crime No.3 of 2022 on the file of the respondent police, seek bail.



CrI.OP.No.20054 of 2022

WEB COPY

2. The case of the prosecution is that *de-facto* complainant is running a hardware shop and the petitioner/A2 is known to him through his friend for the past several years. Through A2, A1 introduced herself to the *de-facto* complainant that she is working in the police department as Sub Inspector of Police and she is having high influence with the higher police officials. Using her influence, she got appointment in the police department for several persons and also informed him that she would get the car and two wheeler in a cheaper price. Believing her representation, in the month of February 2020, the *de-facto* complainant handed over cash for a sum of Rs.2,00,000/- as advance and thereafter, A1 informed that her Innova car is ready and if he is willing to pay Rs.7,00,000/-, the car would be given to him. Believing her representation, he paid Rs.7,00,000/- through RTGS in the account of the petitioner/A2. In turn, on such deposit A1 received the amount from the petitioner and after receipt of the amount neither secured the job nor returned the amount to the *de-facto* complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that



CrI.OP.No.20054 of 2022

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 Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with co-accused represented themselves as they have influence with higher police officials and received a sum of Rs.7,00,000/- from the *de-facto* complainant promising to secure a job. Thereafter, they neither secured the job nor returned the money. 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., 04.07.2022, 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 **learned J.M. No.IV, Vellore**, and on further conditions that:



CrI.OP.No.20054 of 2022

WEB COPY

[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 four weeks and thereafter 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.

24.08.2022

mpl



WEB COPY



CrI.OP.No.20054 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The J.M. No.IV, Vellore.
- 2.The Inspector of Police,
District Crime Branch, Vellore,
Vellore District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.20054 of 2022

24.08.2022