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Crl.OP.No.20482 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2022

CORAM

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

Crl.OP.No.20482 of 2022

B.Dilliraj

...Petitioner

Vs.

State Represented by its,
The Assistant Commissioner of Police,
Job Racket Wing,
Central Crime Branch,
Egmore, Chennai.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.415 of 2016 on the
file of the J-4 Kotturpuram Police.

For Petitioner : Mr.A.Mohamed Ismail
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 19.07.2022 for the offences punishable under Sections 406
and 420 of IPC in crime No.415 of 2016 on the file of the respondent
police, seeks bail.



Crl.OP.No.20482 of 2022

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2. The case of the prosecution is that the *de-facto* complainant lost huge amount to the A1 by believing his promise that he will arrange job in the High Court of Madras. As the A1 had not secured the job nor returned the money, the *de-facto* complainant lodged the complaint.

3. The crime is of the year 2016. The petitioner was arrested and remanded to judicial custody on 19.07.2022. Even according to the case of the prosecution, the petitioner received commission from the A1.

4. 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., 19.07.2022, 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 blood related sureties**, each for a like sum to the satisfaction of the **learned CCB & CBCID Metropolitan Magistrate, Egmore, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



CrI.OP.No.20482 of 2022

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 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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mpl



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Crl.OP.No.20482 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The CCB & CBCID Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Assistant Commissioner of Police,
Job Racket Wing,
Central Crime Branch,
Egmore, Chennai.
- 3.Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.20482 of 2022

29.08.2022