



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

WEB COPY

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24489 of 2021

S.Ramesh

... Petitioner

Vs.

State represented by
The Inspector of Police (Crime),
D-1, Triplicane Police Station,
Chennai - 600005.
Crime No.133 of 2020.

...Respondent/complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory Bail in the event of his arrest or on his surrender before the concerned Jurisdictional Court in Cr.No.133 of 2020 on the file of the respondent, pending investigation.

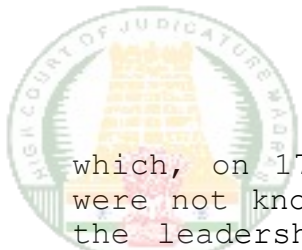
For Petitioner : Mr.R.John Sathyan

For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 387, 506(i) of IPC in Crime No.133 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant approached the second accused for a loan of Rs.5 lakhs for the education of his children and the second accused took him to this petitioner, who gave a loan of Rs.5,00,000/- which was returned by the defacto complainant in 2015. It is further alleged that when the defacto complainant was in need of Rs.3 lakhs for her elder daughter's wedding, he approached the petitioner and the second accused and obtained a loan of Rs.3lakhs from the petitioner on 23/08/2018 . It is alleged that it was brought to the knowledge of the defacto complainant that the second accused was doing trafficking of women with the help of police officials known to the petitioner and the second accused and when the defacto complainant questioned the second both decided to seek revenge, following



which, on 17.02.2019, a gang of bouncers whose names and identities were not known arrived at the house of the defacto complainant under the leadership of Sub-Inspector and abducted him and his son and kept changing vehicles and they snatched the cell phones and forcefully took the defacto complainant and his son to various places in two cars and an auto and threatened them. They spoke to a person, whom they addressed as DC Ayya, following the order of DC ayya they threatened them to extort money and used abusive language against the wife and daughter of the defacto complainant. Then they were taken to Triplicane Police Station, where they were beaten up black and blue and threatened to foist the various case against them and further they threatened them to foist false case against his wife also and demanded six lakhs from her. Then, the defacto complainant called his wife to pledge the jewels and bring the amount to the police Station, then, she arranged a sum of Rs.2 lakhs and give it to them and the police officials shared the said amount. Thereafter defacto complainant demanded his sale deed but they refused and again demaded a sum of Rs.5 lakhs from the defacto complainant. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) raised objection stated that the case is the year 2019 and the investigation was almost completed. He further submitted there may be a chance to threaten the defacto complainant.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the **learned II Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] **the petitioner shall stay at Thiruvannamalai and report before the Town Police Station, Thiruvannamalai on every Wednesday and Saturday at 10.30p.m until further orders;**



[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 has been imposed and the petitioner is 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]**; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-

04/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE (CRIME),
D-1, TRIPLICANE POLICE STATION,
CHENNAI-600 005.

5 THE OFFICER INCHARGE
TOWN POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S.R.JOHN SATHYAN Advocate on payment of necessary charges

CRL OP.24489/2021

Date :04/01/2022