



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2022

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25564 of 2021

Deepan Chandrasekaran

... Petitioner

Versus

State Rep by
The Inspector of Police
J6, Thiruvanmiyur Police Station,
Thiruvanmiyur, Chennai 600041.
(Crime No.118 of 2020)

... Respondent

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.118 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Ramamurthy

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

Order

The petitioner, who apprehends arrest for the alleged offences under Section 406 and 420 of IPC in Cr.No.118 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on a false promise, the petitioner assured the defacto complainant, his friends and others that he would get a job for them in Airport Authority of India and alleged to have collected a sum of Rs.25,35,500/- but failed to procure the job for the defacto complainant and his friends and cheated them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the alleged occurrence said to have occurred in the year 2010 as if he has promised the defacto complainant and others to get a job and subsequently a Writ Petition has been filed in W.P.No.27034 of 2012 and all these complaints were kept pending



without any progress. Thereafter, all of a sudden, this FIR has been filed by the defacto complainant. He further submits that the petitioner is aged about 55 years. However, on instructions, furthermore submits that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.1,00,000/- to the credit of the crime number as imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that it is the case of job racketing that the petitioner, on the promise of getting a job, had received a sum of Rs.25,35,500/- from several persons but failed to procure the job. The petitioner is alleged to have received a sum of Rs.1,92,000/- from the defacto complainant and cheated him. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and undertaking of the petitioner that he is ready and willing to deposit a sum of Rs.1,00,000/- to the credit of Crime Number and the said alleged occurrence is said to be happened in the year 2010. Taking into account the age of the petitioner, there is no possibility of tampering the evidences if he is granted anticipatory bail. In such circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Metropolitan Magistrate Court, Saidapet 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 is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.118 of 2020 before the concerned Magistrate within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and the defacto complainant is permitted to withdraw the said deposit amount of Rs.1,00,000/- on proper identification and acknowledgment;

(b)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;



(c) the petitioner is directed to report before the respondent police on every Wednesday at 10.30 a.m until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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 anticipatory 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
06/01/2022

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

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

TO

1 THE METROPOLITAN MAGISTRATE COURT,
SAIDAPET.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. (FOR INFORMATION).

3 THE INSPECTOR OF POLICE
J6, THIRUVANMIYUR POLICE STATION,
THIRUVANMIYUR, CHENNAI-600 041.



4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.V.RAMAMURTHY Advocate on payment of necessary charges

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CRL OP.25564/2021

Date :06/01/2022

INBA-12/01/2022