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Crl.OP.No.27639 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.27639 of 2022

K.Karthick

... Petitioner

Vs.

The State,
Rep. By the Inspector of Police,
Central Crime Branch,
Prevention of Job Racketing Unit,
Chennai
(Crime No.189 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.189 of 2022 on the file
of the respondent police.

For Petitioner : Mr.R.Chakkaravarthy

For Respondent : Mr.C.E.Pratap,
Government Advocate (crl.side),



Crl.OP.No.27639 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.09.2022 for the offences punishable under Sections 406, 420, 465, 468 r/w 34, 120(b) of IPC in Crime No.189 of 2022 on the file of respondent police, seeks bail.

2. The case of the prosecution is that the accused induced the defacto complainant in the guise of obtaining job as probationary officer in State Bank of India and received an amount of Rs.13,50,000/- and cheated him. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been roped in this case based on the confession statement recorded from the main accused. He would submit that as per the prosecution, the allegation against the petitioner is that the petitioner is stated to have sent fake appointment orders from the bogus mail ID. The petitioner was arrested on 21.09.2022 and he is in custody for the past 51 days. Even as per the prosecution, the petitioner is stated to have assisted the other accused, other than that there is no allegation against the



Crl.OP.No.27639 of 2022

petitioner. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner had assisted the other accused for preparing fake appointment orders from fake mail Id. He would submit that investigation is pending in this case. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and circumstances of the case and the period of incarceration suffered by the petitioner from 21.09.2022, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



Crl.OP.No.27639 of 2022

thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate Court for CBI CCB Cases, Chennai** 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 every day at 10.30 am until further orders;

[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 abscond, a fresh FIR



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Crl.OP.No.27639 of 2022

can be registered under Section 229A IPC.

11.11.2022

shk

To

1. The learned Metropolitan Magistrate Court for
CBI CCB Cases, Chennai.
2. The Inspector of Police,
Central Crime Branch,
Prevention of Job Racketing Unit,
Chennai
3. The Central Prison,
Puzhal
4. The Public Prosecutor,
High Court of Madras.



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Crl.OP.No.27639 of 2022

A.D.JAGADISH CHANDIRA,J.

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Crl.O.P.No.27639 of 2022

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