



Crl.O.P.No.27781 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

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

Crl.OP.No.27781 of 2022

Manigandan Padmanaban

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Central Crime Branch - I,
Chennai - CCB.

(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.I.Abrar Md Abdullah

For Respondent : Mr.C.E.Pratap,
Government Advocate (Crl.Side).



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.10.2022 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 petitioner along with the accused induced the de-facto complainant under the guise of obtaining job as probationary officer in State Bank of India, had received an amount of Rs.20,00,000/- 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 he has received a commission for connecting the victim with the main accused. He would further submit that the co-accused in this case has been



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granted with bail by this Court in Crl.O.P.No.27639 of 2022 vide order dated 11.11.2022. He would also submit that the petitioner was arrested on 08.10.2022 and he is in custody for more than a month and 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, who is arrayed as A4 in this case, along with the other accused had cheated the de-facto complainant to the tune of Rs.2,00,000/-, under the guise of obtaining job as probationary officer in State Bank of India. He would further submit that as far as this petitioner is concerned he had obtained a sum of Rs.75,000/- as a commission from the de-facto complainant and two other victims. He would also submit that investigation is pending in this case and hence, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the First Information Report.



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6. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, taking note of the period of incarceration suffered by the petitioner and also considering the fact that the co-accused has been granted with bail by this Court, 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 thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Special Court, CCB & CBCID, Egmore, 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;



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[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 can be registered under Section 229A IPC.

14.11.2022

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To

1. The Special Court,
CCB & CBCID, Egmore, Chennai.
2. The Inspector of Police,
Central Crime Branch - I,
Chennai - CCB.
3. The Central Prison, Puzhal
4. The Public Prosecutor,



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High Court of Madras.

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A.D.JAGADISH CHANDIRA,J.

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