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CrI.O.P.No.29575 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

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

CrI.O.P.No.29575 of 2022

Ismail

... Petitioner

Vs.

State by:

The Inspector of Police,
Job Racket Wing, Team - VIII,
Central Crime Branch,
Egmore, Chennai.
(Crime No.29 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in Crime No.29 of 2021 on the file of
the respondent police pending investigation.

For Petitioner : Mr.K.Sadhananthan

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 10.10.2022, for the offences punishable under Section 420 of IPC and Sections 10 and 24 of Emigration Act, 1983, in Crime No.29 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had induced the *de-facto* complainant and 2 other victims under the guise of obtaining a job in abroad and received an amount of Rs.59,000/- and cheated them. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner had induced the *de-facto*



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complainant and 2 other victims under the guise of obtaining a job in abroad and received an amount of Rs.59,000/- and cheated them. He would further submit that there is no previous case pending against the petitioner. However, the investigation is at initial stage and hence, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and submissions and also the period of incarnation of the petitioner, this Court is inclined to grant bail to the petitioner.

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 **learned CCB & CBCID M.M. Egmore, Chennai**, and on further conditions that:



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[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 everyday at 10.30 a.m., 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]*;



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[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

01.12.2022

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A.D.JAGADISH CHANDIRA.,J.

mpl

To

1. The CCB & CBCID M.M. Egmore,
Chennai.
2. The Inspector of Police,
Job Racket Wing, Team - VIII,
Central Crime Branch,
Egmore, Chennai.
3. Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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