



Crl.O.P.No.7111 of 2023

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T.V.THAMILSELVI, J.

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The petitioner who apprehends arrest for the alleged offence punishable under Sections 120(B), 420, 465, 467, 468 and 471 of IPC in Crime No.76 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant, who is a Zonal Manger of Punjab Sindh Bank, is that the petitioner colluded with the other accused had furnished fake I.T>Returns and other documents for the purpose of obtaining loan from the defacto complainant bank and availed four vehicle loans. Later, the petitioner had furnished fake documents as if the vehicles were purchased and totally cheated the bank to the tune of Rs.2,14,00,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the



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prosecution. He further submitted that the petitioner did not have any motive and intention to cheat the bank and he did not participated any of the offences stated above. He further submitted that the petitioner has already granted anticipatory bail in Crl.O.P.No.25535 of 2022 on 06.02.2023, to deposit a sum of Rs.5,00,000/- to the credit of Crime No. 76 of 2020, but the petitioner has not able to comply the condition imposed by this Court and prays to modify the deposit amount.

4. The learned Government Advocate (Criminal Side) would vehemently opposed stating that the petitioner colluded with other accused and furnished fabricated documents and availed loan to the tune of Rs.2,14,00,000/- and without purchasing the vehicles, the petitioner had cheated the Bank. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **learned Metropolitan Magistrate for CCB & CBCID Cases, 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 (out of which one surety should be blood surety) 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to report before the respondent police on every Tuesday and Saturday for a period of eight weeks .

[c] the petitioner is directed to deposit a sum of Rs.1,00,000/-(Rupees One Lakh Only) to the credit of Crime No.76 of 2020 without prejudice to his rights within a period of two weeks from the date of receipt of copy of this order and produce the receipt before the concerned



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Magistrate. On such deposit the defacto complainant is permitted to with the above said amount by filing an undertaking affidavit.

[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 petitioners 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]**

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

14.09.2023

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