



Crl.O.P.No.12184 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM

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

Crl.O.P.No.12184 of 2023

K.Sathish Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
CCB, Team EDF - 1,
Avadi, Chennai.

(Crime No.06 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.06 of 2022, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.Jaisankar

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



Crl.O.P.No.12184 of 2023

he had given a false complaint as against the petitioner. He also submitted that though the de-facto complainant had stated that the petitioner had cheated several other persons, no other complaints was registered as against the petitioner. He also submitted that the petitioner is in custody from 17.04.2023. He further submitted that the petitioner is also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner, under the guise of doing interior work for the de-facto complainant's flat, had received a sum of Rs.2,20,000/- from the *de facto* complainant and cheated him. He also submitted that the petitioner had also cheated several other persons. He further submitted that the investigation in this case is pending and there is no previous case as against the petitioner. However, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, to show his bonafide, without prejudice to his defence and



Crl.O.P.No.12184 of 2023

contention, is ready and willing to deposit a sum of Rs.50,000/-, to the credit of crime number before the Court concerned. Therefore, he prayed to grant bail to the petitioner.

6. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the period of incarceration suffered by the petitioner and also considering the fact that the petitioner has volunteered to deposit a sum of Rs.50,000/- to the credit of crime number, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, **the petitioner is directed to deposit a sum of Rs.50,000/- to the credit of Crime No.06 of 2022**, without prejudice to his rights and contentions, before the Court concerned and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum



CrI.O.P.No.12184 of 2023

of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Poonamallee**, 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 respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness 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 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]***;



WEB COPY



Crl.O.P.No.12184 of 2023

A.D.JAGADISH CHANDIRA.,J.

ham

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

09.06.2023

ham

To

1. The Judicial Magistrate No.I,
Poonamallee.
2. The Inspector of Police,
CCB, Team EDF - 1,
Avadi, Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.12184 of 2023

2/2