



Crl.O.P.No.13629 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

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

Crl.O.P.No.13629 of 2023

Pranav

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Ambattur Police Station,
Thiruvallur District.

(Crime No.497 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail, in connection with the
Crime No.497 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.S.Nambirajan

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 23.05.2023 for the offences punishable under Sections 420 and 406 of IPC in Crime No.497 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner, by pledging fake and spurious jewels, had obtained a loan of Rs.2,33,000/- from the defacto complainant Bank and cheated the Bank. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was granted loan after perusal of the jewels by the appraiser and that now due to some discrepancy in the Bank, the Manager has given a false complaint, as if spurious jewels have been pledged with the Bank. He would also submit that the petitioner is in custody from 23.05.2023, hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner is a habitual offender, against whom, there is one previous case of similar nature. As far as this case is concerned, the petitioner, by pledging fake and spurious jewels, had obtained a loan of Rs.2,33,000/- from the defacto complainant Bank and cheated the HDFC Bank. Hence, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner, to show his bonafide, is ready and willing to deposit Rs.1,00,000/- to the credit of Crime No.497 of 2023 before the Court concerned. Hence, he prayed for grant of 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 also



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considering the period of incarceration undergone by the petitioner, 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.1,00,000/- to the credit of Crime No.497 of 2023 without prejudice to his rights and contentions and on such deposit before the concerned Court, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur** 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, 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;



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[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.

22.06.2023

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To

1. The Judicial Magistrate,
Ambattur.
2. The Inspector of Police,
Ambattur Police Station,
Thiruvallur District.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

vkr

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