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CrI.O.P.No.20421 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

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THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.20421 of 2023

Harikrishnan

...Petitioner

Vs.

State Rep by
The Inspector of Police,
K-7, ICF Police Station,
ICF, Chennai - 600 038.
(Crime No.99 of 2023)

...Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.99 of 2023 on the file of respondent Police.

For Petitioner : Mr.R.Kisoth Kumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner namely Harikrishnan, who was arrested and remanded to judicial custody on 15.06.2023 for the offences punishable under Sections 406, 419, 420 r/w 120B of IPC Crime No.99 of 2023 on



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the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No. 99 of 2023 for the offences under Sections 406, 419, 420 r/w 120B of I.P.C. Petitioner is in judicial custody from 15.06.2023. He further submitted that, this petitioner is arrayed as 3rd accused in this case. Only at the request of 1st accused, he had spoken with the defacto complainant. Petitioner did not know anything about the money transaction that had taken place. Petitioner is innocent. Thus, he prays for grant of bail.

3.The learned Additional Public Prosecutor opposed this petition, on the ground that, petitioner claimed himself as Dinesh, who is working in Hon'ble Chief Minister's Office and made the defacto complainant to pay Rs.25,00,000/-, for realising money deposited by the defacto complainant in Hijau Associate Pvt ltd. However, the accused had neither helped in realising the amount deposited by the defacto complainant in Hijau Associate Pvt ltd, nor returned the sum of Rs.25,00,000/- received from the defacto complainant. It is his further submission that,



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investigation in this case is complete and final report was filed and taken on file in C.C.No.6490 of 2023 before the learned V Metropolitan Magistrate, Egmore. Therefore, he prays for dismissal of this bail petition.

4.Considered the rival submissions and perused the records.

5.This is the second bail petition. Earlier bail petition filed by the petitioner in Crl.O.P.No.16933 of 2023 was dismissed on 31.07.2023, on the ground that investigation in this case is not completed. Now it is informed that investigation in this case is completed. Final report was filed and taken on file in C.C.No.6490 of 2023 before the learned V Metropolitan Magistrate, Egmore.

6.Considering the fact that investigation in this case is completed and the case is now pending in C.C.No.6490 of 2023 on the file of learned V Metropolitan Magistrate, Egmore, that petitioner is in judicial custody from 15.06.2023, this Court is inclined to grant bail to the



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petitioner with 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 V Metropolitan Magistrate, 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 daily at 10.00.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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

13.09.2023

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To

1.The V Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
K-7, ICF Police Station,
ICF, Chennai - 600 038.

3.Central Prison-II,
Puzhal, Chennai – 600 066.

4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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