



WEB COPY

CRL OP(MD). N



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10350 of 2023

Pitchaiah,

... Petitioner/Accused No.6

Vs

State rep by
The Inspector of Police,
City Crime Branch (CCB),
Tirunelveli City,
Crime No. 12 of 2022.

... Respondent/Complainant

For Petitioner : M/s. Anand.R,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

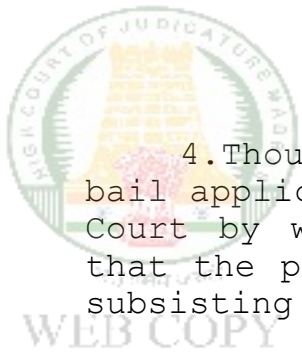
For Anticipatory Bail in Crime No.12/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 409, 417, 418 and 420 of I.P.C., in Crime No.12 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons are staff of the de-facto complainant bank and by using their official power, they pledged the fake gold jewels in the name of others and cheated a sum of Rs.69,90,000/-. Hence, the case.

3.Heard. Perused the materials available on record including
<https://www.mhc.gov.in/todis> One Page Information Report.



4. Though this Court dismissed the petitioner's anticipatory bail application on four times, the petitioner again approached this Court by way of this anticipatory bail application on the ground that the petitioner is ready and willing to show his *bona fides* by subsisting substantial amount as directed by this Court.

5. Considering the said undertaking given by the learned counsel for the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner shall deposit a sum of **(*)Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of Crime No.12 of 2022 before the concerned trial Court**, without prejudice to his rights and contentions.

7. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.I, Tirunelveli, on condition that the petitioner shall execute 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 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 shall report before the respondent Police, daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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].



[f] If the accused thereafter absconds, a fresh FII registered under Section 229A IPC.

sd/-

14/06/2023

(*)Modified as per order of this
Hon'ble court in CRL MP(MD).9747/2023
in CRL OP(MD).10350/2023 dated
10.07.2023 by GIJ

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 28.06.2023

1. The Judicial Magistrate Court No.I, Tirunelveli.

2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.

3. The Inspector of Police,
City Crime Branch Ccb,
Tirunelveli City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.ANAND, Advocate (SR-10430[I] dated 10/07/2023)

ORDER

IN

CRL OP(MD) No.10350 of 2023

Date :14/06/2023

DL/SBN(27.06.2023)/ 3P/ 6C

RS/BUC (14.07.2023) 3P/6C