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Crl.O.P.No.30225 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

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

Crl.O.P.No.30225 of 2024

Ramesh Shankar Sonai

... Petitioner

Vs.

The Assistant Commissioner of Police,
Central Crime Branch, EDF - I Wing,
Vepery, Chennai - 7.
(Crime No.232 of 2023).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.232 of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Mohamed Riyaz
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)
For Intervener : Mr.S.Namasivayam

ORDER

Petition seeking bail in respect of Crime 232 of 2023 registered for the offences punishable under Sections 420, 409 r/w 506(i) r/w 120 B and 34 of IPC, is on board for consideration.



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2. The incarceration of the petitioner/A8 being from 17.10.2024, pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that other than signed as a witness to some of the documents as directed by the first accused, the petitioner has not committed any offence as alleged by the prosecution. He further submits that the petitioner was originally arrested in Crime No.7 of 2024 on 02.10.2024 and thereafter, he was formally arrested in the present case on 17.10.2024. He also submits that the entire case is borne out by documents and the major part of the investigation is over. He further submits that in a connected case, the petitioner has been enlarged on bail by the Madurai Bench of Madras High Court in Crl.O.P(MD). No.18734 of 2024 vide order dated 29.10.2024 and he is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the first accused, who was given Power of Attorney to deal with the properties of the de facto complainant, had acted against the interest of the de



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facto complainant, committed fraud by executing various deeds and cheated her to the tune of Rs.9.9 crores. He further submits that the petitioner, who is arrayed as A8, along with other accused, had assisted the first accused, who had purchased the property in the name of his wife and family members and cheated the de facto complainant, by fabricating the documents and signing the documents as witness. He also submits that the investigation in this case is still pending.

4. Learned counsel for the de facto complainant submits that the petitioner/A8 is also the beneficiary in the transaction and he had also involved in fabrication of documents along with the first accused. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Special Judge for Exclusive trial of CCB and CBCID Cases, 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, after complying with the condition imposed by the Madurai Bench of Madras High Court in Crl.O.P (MD). No.18734 of 2024 dated 29.10.2024, shall continue to report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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 appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



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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];



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

06.12.2024

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To

1. The Special Court for Exclusive trial of CCB and CBCID Cases,
Egmore, Chennai.
2. The Assistant Commissioner of Police,
Central Crime Branch, EDF - I Wing,
Vepery, Chennai -7.
3. The Superintendent,
District Jail,
Ramanathapuram.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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