



WEB COPY



CRL OP NO. 959 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 959 of 2025

Suresh,
S/o.Ramasamy,
No.7/82A,Pappankarai, Esanai, Perambalur-621 219

Petitioner(s)

Vs

The State Rep,by its,
Inspector Of Police

Attur Town Police Station, Salem District. (Crime No.87 Of 2023)

Respondent(s)

For Petitioner(s): M/s. Abinaya Lakshna

For Respondent(s): Mr.S.Santhosh,Government Advocate (criminal Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 468, 471, 420 and 120B of the Indian Penal Code (I.P.C.), 1860, in Crime No.87 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant working in a private bank, alleged that the petitioner, along with one another, have pledged duplicate gold bangles and obtained loan for a sum about of Rs.3,35,000.

Hence, this case.



3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Initially, the petitioner's name was not mentioned in the First Information Report. However, after two years, a charge sheet was filed and a final report has also been filed before the Judicial Magistrate No.1, Athur, wherein, the petitioner's name was implicated as accused. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioner, stating that the petitioner, along with other accused, cheated the de-facto complainant by pledging a fake gold bangles. Although, the case was not registered against the petitioner, his name was included in the final report, which has been taken on file in C.C.No.209 of 2025 before the learned Judicial Magistrate No.1, Athur. Summons were issued and the next date of hearing was 19.01.2025 which has lapsed. Further, he submits that the petitioner has no previous cases pending against him.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and



perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before **the learned Judicial Magistrate, Attur**, on condition that the petitioner shall execute 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the learned Judicial Magistrate, Attur on all working days at 10: 30 A.M., and thereafter, the date fixed by the learned Judicial Magistrate;

[d] the petitioner shall not tamper with evidence or witness either



during the investigation or during the trial;

[e] the petitioner shall not abscond either during the investigation or during the 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 was 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];

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

24-01-2025

To
The State Rep,by its,
Inspector Of Police
Attur Town Police Station, Salem District. (Crime No.87 Of 2023)



WEB COPY



A.D. JAGADISH CHANDIRA, J.

klt

CRL.OP. No. 959 of 2025

24.01.2025