

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Twenty Eighth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.12228 & 12227 of 2018

S.DHIVYA SHRAVANTH [PETITIONER / ACCUSED
IN CRL.OP.NO.12228 OF 2018]

S.SHRAVANTH [PETITIONER / ACCUSED
IN CRL.OP.NO.12227 OF 2018]

Vs

STATE THROUGH, [RESPONDENT
THE SUB INSPECTOR OF POLICE (CRIME), IN BOTH THE PETITIONS]
K-4, ANNA NAGAR POLICE STATION,
CHENNAI-600 040.
CR.NO.345 OF 2018.

For Petitioner : M/S.R.GANESH KUMAR Advocate
[IN BOTH THE PETITIONS]

For Respondent : MR.T.SHANMUGA RAJESWARAN Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

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

ORDER : The Court Made the following order :-

The petitioners/accused (A1/A2), who apprehend arrest for the alleged offences under Sections 406,420 and 506(i) of I.P.C in Cr.No.345 of 2018 on the file of the respondent Police, seek anticipatory bail.

2. The learned counsel for the petitioner has submitted that the petitioners are doing a construction business in the name and style of M/s.S.D.Homes at Vadapalani, Chennai. They are purchased the raw materials to construct the building from the defacto-complainant's Company and the defacto-complainant, who is working as a Manager of M/s.Karthik & Co, and Dhanalakshmi Enterprises. The petitioners are purchased raw materials in worth about Rs.33,86,805/- and they repaid Rs.7,13,000/- only. The balance of amount Rs.26,73,805/- not paid to the defacto-complainant and at the time of request made by the defacto-complainant to repay the said amount, the petitioners threatened with dire consequences. Hence, the present petition.

3. The learned Public Prosecutor (Crl.side) has submitted that the petitioners with intention to cheat the complainant wantonly refused to repay the said amount and cheated the defacto-complainant

and the investigation is now preliminary stage. If the granted Anticipatory Bail, they will tamper evidence and the number of witnesses and they will evade from the clutches of law. Hence, he has strongly opposed to grant anticipatory bail.

4. Heard both sides and perused the records.

5. Taking into consideration the facts and circumstances of the case and also taking note of the fact that Civil Suit in O.S is pending, this Court is inclined to grant anticipatory bail to the petitioners subject to the following condition.

6. Accordingly, it is ordered that the petitioners shall be released on bail, in the event of arrest or on their appearance before the learned V Metropolitan Magistrate at Saidapet, Chennai, within a period of three weeks from the date of receipt of a copy of this order, on condition that each of them 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 arresting Officer or to the satisfaction of the learned Magistrate concerned and on further condition that they shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

-sd/-
28/04/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.V, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI
[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE (CRIME),
K-4, ANNA NAGAR POLICE STATION,
CHENNAI-600 040.

+2CC to M/S.R.GANESH KUMAR Advocate on payment of necessary
charges SR NO.8648, 8650

CRL OP.12228 & 12227 of 2018

Date :28/04/2018

MK:02/05/2018