

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Eighteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. KALAIYARASAN
CRIMINAL ORIGINAL PETITION No.2562 of 2018
AND CRL.MP.NO.2648/2018

1 HARIHARASUDHAN [PETITIONERS / ACCUSED]
2 SATHIYASELAN
3 SHIVAJANARDH
4 SATHIYASEKAR

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
THOUSAND LIGHT POLICE STATION,
CHENNAI-6,
CR.NO.28/2018.

A.MUTAIAH [PETITIOENR/INTERVENOR/DEFACTO COMPLAINANT]

**ORDERED AS PER THE ORDER OF THIS COURT DATED 18/04/2018 MADE IN
CRL.MP.NO.2648/2018 IN CRL.OP.NO.2562/2018.**

For Petitioner : M/S.S.SAIRAMAN Advocate

For Respondent : MR. M.PRABHARATHI GANESH RAM, ADDL.PUBLIC PROSECUTOR

For Intervener : M/S.S.RAMACHANDRAN Advocate

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

ORDER : The Court Made the following order :-

This Criminal Original Petition has been filed praying to grant Anticipatory Bail to the petitioners.

2. A case has been registered as against the petitioners by the respondent police in Cr.No.23 of 2018 for the offence under Sections 420, 408, 465 and 477(A) IPC.

3. As per the complaint lodged by the General Manager, VGN Infra India Pvt., Ltd., the first petitioner / accused as Accountant misappropriated about a sum of Rs.38,00,000/- by misusing his official position and the other petitioners also involved in the above offences thereby caused huge loss to the defacto complainant.

4. The learned counsel appearing for the petitioners submits

that the petitioners had also lodged a complaint against the company officials as they forcibly kidnapped the first petitioner, his brother and demanded huge amount from their father, the fourth accused and a case has also been registered against them. It is further contended that the petitioners are innocents of the offences, that they are having permanent residence and that there is a counter case and therefore, the petitioners may be granted Anticipatory Bail.

5. The learned Additional Public Prosecutor and the learned counsel appearing for the Intervenor opposes this petition. However, the learned Additional Public Prosecutor submits that the amount alleged to have been misappropriated is being repaid.

6. Considering the representation made by the learned counsel appearing for the petitioners, pendency of counter case as against the officials of the company, the fact that the petitioners are having permanent residence and also the entire facts and circumstances of this case, this Court is inclined to grant Anticipatory Bail.

7. Accordingly, all the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned [*] **XIV Metropolitan Magistrate, Egmore** and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition to appear before the respondent police every Monday at 10.00 a.m for a period of three weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

8. The petitioners shall appear before the concerned Metropolitan Magistrate within a period of three weeks from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

-sd/-
18/04/2018

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.

**[*]BEING MENTIONED AS PER THE ORDER OF THIS COURT DATED 03/05/2018
MADE IN CRL.OP.NO.2562/2018 The Hon`ble Mrs Justice S. RAMATHILAGAM**

TO

[*]1 THE METROPOLITAN MAGISTRATE,
NO.XIV,EGMORE,

2 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
THOUSAND LIGHT POLICE STATION,
CHENNAI-6,

+1 CC to M/S.S.SAIRAMAN Advocate on payment of necessary
charges SR.NO. 8876

CC to M/S.S.RAMACHANDRAN Advocate on payment of necessary
charges SR.NO.

CRL OP.2562/2018

AND CRL.MP.NO.2648/2018

Date :18/04/2018

RD 20/04/2018

RD 07/05/2018