



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Seventeenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.694 of 2018

SANJAI VARMA

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THILLAINAGAR POLICE STATION, TRICHY.
CRIME NO. 776/2017

... RESPONDENT / COMPLAINANT

For Petitioner: M/S.S.MUTHUKRISHNAN Advocate

For Respondent: MR.K.SUYAMBULINGA BHARATHI Govt. Advocate (Crl.Side)

For Intervenor: MR.N.S.PONNAIAH Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

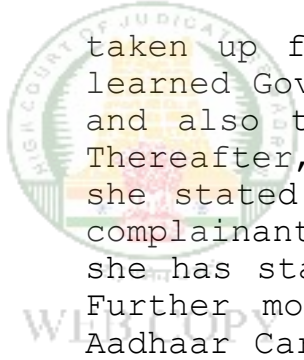
The petitioner / Sole Accused, who was arrested on 23.11.2017 for the offences punishable under Sections 406, 420 I.P.C., in Crime No.776 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner received a sum of Rs.75,00,000/- from the defacto complainant by way of starting a joint venture hospital at vishakapattinam and absconded without repayment. Hence, the respondent police registered a case against the petitioner and arrested him and remanded to judicial custody.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is ready to abide by any conditions being imposed by this Court.

4.The learned Government Advocate (Criminal side) submitted that only a part of the amount Rs.11,90,000/- has been recovered from the petitioner. He further submitted that he has no objection for granting bail to the petitioner.

5.Considering the submissions made on either side, it seems that a case has been registered against the petitioner for the offences under Sections 406, 420 I.P.C., and he is in judicial custody from 23.11.2017 to till date. Today, when the matter was



taken up for hearing, the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing on both sides and also the defacto complainant are present before this Court. Thereafter, the defacto complainant filed an affidavit, in which, she stated that the dispute between the petitioner and the defacto complainant was settled by way of another one agreement. Further, she has stated that she has no objection to allow this application. Further more, for the proof of identity, she has also submitted Aadhaar Card, Voter ID Card . So, accordingly, dispute between the petitioner and the defacto complainant was settled themselves.

6.Considering the gravity of offence committed by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Trichy.

(ii)the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii)the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v)on breach of any of the aforesaid conditions, the 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 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].

sd/-

17/01/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
THILLAINAGAR POLICE STATION, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MUTHUKRISHNAN Advocate SR.No.758

ORDER IN

CRL OP(MD) No.694 of 2018

Date :17/01/2018