

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of January Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.22374 of 2014

SUDHAMATI RATNAKAR GUTTE

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH TEAM-I
VEPERY, CHENNAI 600 007
CR.NO.134 OF 2014

For Petitioner : M/S.V.S.SENTHILKUMAR Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

For Intervenor : M/S S.ARIVAZHAGAN Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406, 417 & 420 of IPC in Crime No.134 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to business transaction, the accused persons were cheated the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that all the transaction between the parties arises out of an contract and any dispute arising out of the contract ought to have been agitated before the appropriate civil Court and not by way of preferring a criminal complaint. Hence, he prayed for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that due to business transaction, the accused persons were cheated the defacto complainant.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner 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 Chief Metropolitan Magistrate, Egmore on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate / Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(b) the petitioner shall report before the respondent police as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(d) the petitioner shall not abscond 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 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].

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
29/01/2020

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 CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH TEAM I,
VEPERY, CHENNAI 600 007

CC to M/S.V.S.SENTHILKUMAR Advocate on payment of necessary
charges sr.1923

CRL OP.22374/2014

Date :29/01/2020

RVR 02/03/2020



WEB COPY