

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.2694 of 2021

1.Santhi

2.A.Pandiarajan

... Petitioners

Vs.

The Inspector of Police,
District Crime Branch,
Kanchipuram.
(Crime No.25 of 2020)

... Respondent

S.ARUL

...Petitioner/Defacto Complainant
(Ordered as per order of this court dated 17.06.2021 made in
Crl.MP.4227/2021)

Prayer: Petition filed under Section 438 of Cr.P.C., seeking to enlarge
the petitioners on bail in the event of their arrest in Crime No.25 of
2020 pending on the file of the respondent.

For Petitioners: M/s.M.N.Sumathy

For Intervenor : Mr.S.Santhoshkumar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioners who apprehend arrest at the hands of the respondent
police for the alleged offence under Sections 34, 408, 420, 465, 468,
471 and 477A of I.P.C. in Cr.No.25 of 2020 on the file of the respondent
police, seeks anticipatory bail.

2.The case of the prosecution is that the accused in the case are
alleged to have conspired and colluded to commit the offences of theft,
cheating and dishonestly inducing delivery of property, criminal breach
of trust, forgery of valuable security, falsification of accounts,
criminal conspiracy etc., against the complainant company.

3.The learned counsel appearing for the petitioners would submit that the petitioners are not arrayed as accused in the case, however, on the apprehension that based on the confession of A2 in the case, they would be implicated in the case, they have filed this petition.

4.The learned counsel appearing for the intervenor would submit that though the petitioners are not arrayed as accused in the case investigation reveals that A1 has transferred several Crores of money to other accused based on the direction of these petitioners and vehemently opposed for grant of anticipatory bail to these petitioners.

5.Heard the submissions made by the learned Government Advocate (Criminal Side).

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kanchipuram, on condition that the petitioner shall execute 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 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 petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 petitioners 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]; and;

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

-sd/-
17/06/2021

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 JUDICIAL MAGISTRATE,
KANCHIPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KANCHIPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SAKTHIVEL Advocate on payment of necessary charges
SR.NO. 6613

CRL OP.2694/2021

Date :17/06/2021

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MN-29/06/2021