

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.11835 of 2020

A.ANANDARAMAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
VEPERY, CHENNAI.
CRIME NO.9 OF 2020

[RESPONDENT]

For Petitioner : M/S.R.C.PAUL KANAGARAJ Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends at the hands of the respondent police for the alleged offence under Sections 120(B), 420, 467, 468, 471 IPC and Section 66 C, 66 D and 45 of IT Act in Crime No.09 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused is said to have conducted fake Business Process Outsourcing (BPO) Centres, in which, huge amounts collected from general public by giving false promise that they will provide loan facility and other services. and thereby cheated the general public. Hence, the complaint was registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is in way connected wit the alleged offence. He further submits that based on the confession of the main accused, the petitioner is the partner of the alleged company and his junior advocates frequently came to the company and collected the money. However, in order to prove the same, no document is produced as if the petitioner is the partner of the company. Hence he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that based on the confession statement of the main accused, the petitioner was implicated in this case.

5. Taking into consideration the facts and circumstances of the case and also the fact that there is no material to establish that the petitioner is the partner of the company and only based on the confession of the main accused, he has been falsely implicated, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 Metropolitan Magistrate, CCB & CBCID, Egmore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- each (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 Court concerned 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]; and;

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

-sd/-
17/04/2021

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 METROPOLITAN MAGISTRATE
CCB & CBCID, EGMORE.

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

3 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
VEPERY, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.C.PAUL KANAGARAJ Advocate on payment of necessary charges SR.No.5063

सत्यमेव जयते

CRL OP.11835/2020

Date :17/04/2021

cs 21/04/2021

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