



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P.No.13986 of 2020

Raman Chowdry @ Raman Kumar Choudhary

...Petitioner

Versus

State represented by
The Inspector of Police,
J-2 Adyar Police Station,
Chennai 600 020.

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to grant an order of anticipatory bail, directing that the petitioner be enlarged on bail in the event of his arrest in J-2 Police Station Crime No.33 of 2020 on the file of the respondent.

For Petitioner : Mr.Prakash Goklaney

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 IPC in Cr.No.33 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a money dispute between the petitioner and the defacto complainant. The petitioner is an employee under the defacto complainant and he said to have misappropriated an amount to the tune of Rs.5,50,000. Hence the defacto complainant has lodged a complaint before the law enforcing agency.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, the matter has been referred for mediation and there was an amicable settlement between the parties and a major portion of the amount has been settled. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that in the mediation, there was an amicable settlement and major portion of the amount



has been settled to the defacto complainant.

5. Considering the nature of case that the matter has been amicably settled between the parties, this Court is inclined to grant anticipatory bail to the petitioner.

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 IX Metropolitan Magistrate, Saidapet, Chennai, 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 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 daily at 10.30 a.m. until further orders;

(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/-
21/06/2021

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 IX METROPOLITAN MAGISTRATE
SAIDAPET, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
J-2, ADYAR POLICE STATION,
CHENNAI 600 020.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. PRAKASH GOKLANEY Advocate on payment of necessary
charges SR.NO. 7062

CRL OP.13986/2020

Date :21/06/2021

MN-14/07/2021