



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.13024 of 2021

Harish Mohan

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Greater Chennai
Vepery, Chennai 600 007.

... Respondents

2.The Assistant Police Inspector
Economic Offences Wing, Unit II
Crime Branch
Office of Commissioner of Police,
Sector-10, CBD, Belapur
Navi Mumbai 400614
Maharashtra

3.The Inspector of Police,
Kharghar Police Station,
Navi Mumbai,
Maharashtra

4.The Inspector of Police,
S10 Selaiyur Police Station,
Selaiyur, Chennai.

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.286 of 2019 pending on the file of the 2nd and 3rd respondent police.

For Petitioner : Mr.S.Panneerselvan

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 406 IPC in Crime No.286 of 2019 on the file of the respondent police, seeks anticipatory bail.



2. Heard both sides.

3. Pursuant to the directions issued by the concerned Court at Panvel, Maharashtra, under Section 156(3) Cr.P.C., the Inspector of Police have registered a case in Cr.No.286 of 2019 under Sections 420 and 406 IPC against the petitioner, in view of which the petitioner is before this Court seeking interstate anticipatory bail.

4. Taking into consideration the nature of allegation in the F.I.R., this Court is inclined to grant interstate anticipatory bail to the petitioner as per the judgement of the Hon'ble Division Bench of this Court in **S.P.Shanthi Swaroop Vs. State of Tamil Nadu rep. By Assistant Commissioner of Police, Central Crime Branch, Madras (1992 LW (Cr1) 475)**, for a period of four weeks from today. In the meantime, the petitioner shall workout his remedy before the Jurisdictional Court in Maharashtra. Grant of Anticipatory Bail would only protect the petitioner from arrest in Tamil Nadu and cannot mean that he would be entitled to regular anticipatory bail from the jurisdictional Court.

5. 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]**.



[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
29/07/2021

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,
NO.IX, SAIDAPET, CHENNAI.

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

3 THE COMMISSIONER OF POLICE,
COMMISSIONER OFFICE,
GREATER CHENNAI,
VEPERY, CHENNAI-600 007

4 THE ASSISTANT POLICE INSPECTOR,
ECONOMIC OFFENCES WING, UNIT-II, CRIME
BRANCH, OFFICE OF COMMISSIONER OF POLICE,
SECTOR 10, CBD, BELAPUR, NAVI MUMBAI 400614,
MAHARASHTRA.

5 THE INSPECTOR OF POLICE,
KHARGHAR POLICE STATION, NAVI MUMBAI,
MAHARASHTRA.

6 THE INSPECTOR OF POLICE
S.10 SELAIYUR POLICE STATION,
SELAİYUR, CHENNAI.

7 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.S.PANNEERSELVAN Advocate on payment of necessary charges SR.NO.7920

CRL OP.13024/2021

Date :29/07/2021