



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14691 of 2021

AND

CRL.MP.NO.9214 OF 2021

V.BASKARAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT/COMPLAINANT]

ASSISTANT COMMISSIONER OF POLICE,
CENTRAL CRIME BRANCH (JOB RACKET),
GREATER CHENNAI POLICE,CHENNAI-600 007.
(CRIME NO.131 OF 2021)

V.ANANTHI

...PETITIONER/INTERVENOR/DE FACTO COMPLAINANT

(Ordered as per order of this Court Dated 16.09.2021 In CRL.MP.NO.9214 of 2021 in CRL.OP.NO.14691 of 2021)

For Petitioner : M/S.DURAI KANNAN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

For Intervenor : MR.VIJAY FOR M/S.S.SANTHOSH 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, 420, 465, 468 and 34 of I.P.C. in Cr.No.131 of 2021 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 alleged to have cheated the innocent people to the tune of Rs.5.30 Crores.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is A5 and is the father - in - law of A1 and would further submit that the petitioner is a retired IIT Professor and that even as per the prosecution case, a sum of Rs.15,90,000/- was transferred from the account of A1 to the account of the petitioner.



4.The learned counsel appearing for the petitioner, on instructions, further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.10 Lakhs to the credit of the crime number, within a period of two weeks from the date of receipt of a copy of this order and also conceded the same to be disbursed to the alleged victims proportionately. However, the learned counsel submitted that before disbursing the amount to the alleged victims, an appropriate affidavit of undertaking shall be obtained from the alleged victims.

5.The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner.

6.The learned Government Advocate (Crl. Side) submitted that huge amount is involved in the case and vehemently opposed for grant of anticipatory bail to the petitioner.

7.Considering the fact that the petitioner is ready to deposit a sum of Rs.10 Lakhs, this Court is inclined to grant anticipatory bail to the petitioner.

8.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 Special Court for CCB CBCID, Egmore, 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 shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) to the credit of Cr.No.131 of 2021 before the learned Special Court for CCB CBCID, Egmore, Chennai, within a period of two weeks from the date of receipt of a copy of this order. On such deposit being made, the learned Special Court for CCB CBCID, Egmore, Chennai, shall obtain an affidavit of undertaking from the alleged victims stating that in the event of the petitioner succeeding the case, the amount will be returned to the petitioner and after obtaining such affidavit of undertaking from the alleged victims, shall disburse the said amount to the alleged victims, proportionately, within a period of two weeks thereafter;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;



(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

-sd/-
16/09/2021

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 SPECIAL COURT FOR CCB
CBCID, EGMORE, CHENNAI.

2 THE ASSISTANT COMMISSIONER OF POLICE,
CENTRAL CRIME BRANCH (JOB RACKET),
GREATER CHENNAI POLICE,
CHENNAI - 600 007.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.DURAI KANNAN Advocate on payment of necessary charges

CRL.OP.14691/2021
AND
CRL.MP.9214/2021
Date :16/09/2021

CSK 27/09/2021