



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17859 of 2021

RAVIKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
P-6, KODUNGAIYUR POLICE STATION,
CHENNAI
(CRIME NO.215/2021)

[RESPONDENT]

For Petitioner : M/S A.SARANRAJ Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

For Intervenor : M/S. D.SENTHILKUMAR 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 and 420 of I.P.C. in Cr.No.215 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running educational trust. The petitioner along with the other accused is alleged to have received a sum of Rs.25 Lakhs as commission from the defacto complainant for arranging loan from Bank, however, neither loan was arranged nor the amount was repaid.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner filed petition seeking anticipatory bail in Crl.M.P.No.10801 of 2021 before the Court of Sessions at Chennai and the said petition was dismissed on 20.09.2021. The learned counsel, on instructions, further submitted that the petitioner, without prejudice to his rights, is ready to



deposit a sum of Rs.15 Lakhs before the defacto complainant.

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

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5.Heard the submissions made by the learned Government Advocate.

6.Considering the fact that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.15 Lakhs before the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned X Metropolitan Magistrate Court, 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.15,00,000/- (Rupees Fifteen Lakhs Only) by way of demand draft drawn in favour of the defacto complainant, within a period of four weeks from the date of receipt of a copy of this order. The challan/ receipt of such payment shall be produced at the time of executing the bond.

(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.

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-sd/-

29/09/2021

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 X METROPOLITAN MAGISTRATE
COURT, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

3 THE INSPECTOR OF POLICE,
P-6, KODUNGAIYUR POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S A.SARANRAJ Advocate on payment of necessary charges

CRL OP.17859/2021

Date :29/09/2021

APN 06/10/2021