



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18349 of 2021

SANTHOSH RAJA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VILLUPURAM DISTRICT
Cr.No.25 of 2021

[RESPONDENT]

For Petitioner : M/S.K.RAJA Advocate

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

For Intervenor : MR. DEVASENATHIPATHI 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 420, 468, 471 of I.P.C. and 66D of Information Technology Act, 2000, in Cr.No.25 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 a poultry farm. The petitioner along with the other accused is alleged to have received a sum of Rs.17,48,000/- 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 it is purely a business transaction. The learned counsel, on instructions, further submitted that the petitioner, without prejudice to his rights, is ready to



deposit a sum of Rs.7,48,000/-, within a period of four weeks from the date of receipt of a copy of this order and also agree to deposit the balance amount of Rs.10 Lakhs, within a period of four months thereafter.

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4.The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner, however, submitted that in the event of this Court granting anticipatory bail to the petitioner, this Court may direct him to deposit the alleged amount.

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 the alleged amount of Rs.17,48,000/- in two installments, 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 Judicial Magistrate - I, Tindivanam, Villupuram District, 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.7,48,000/- (Rupees Seven Lakhs and Forty Eight Thousand Only) to the credit of Crime No.25 of 2021 before the learned Judicial Magistrate - I, Tindivanam, Villupuram District, within a period of four weeks from the date of receipt of a copy of this order and shall deposit the balance amount of Rs.10 Lakhs, within a period of four months 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/-

01/10/2021

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 JUDICIAL MAGISTRATE,
NO.I, TINDIVANAM, VILUPPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPPURAM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VILUPPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.RAJA Advocate on payment of necessary charges
SR.No.10890

+1 CC to MR.DEVASENATHIPATHI Advocate on payment of necessary
charges SR.No.10902

CRL OP.18349/2021

Date :01/10/2021

APN 07/10/2021