



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19379 of 2021

ANNADURAI

[PETITIONER / ACCUSED]

Vs

THE UNION TERRITORY OF PUDUCHERRY REP BY, [RESPONDENT]
INSPECTOR OF POLICE,
CID POLICE STATION,
PUDUCHERRY
(CRIME NO.11/2021)

For Petitioner : M/S.U.DEVASENATHIPATHI Advocate

For Respondent : Mr.V.Balamurugan Public Prosecutor for Pondicherry

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 120-B, 406 and 420 of IPC, in Crime No.11 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused persons approached the defacto complainant and several other persons and informed them that they are running a firm namely M/s.Quantum Profits Group of Companies and on the assurance given by the petitioner that if they invest a sum of Rs.1,00,000/-, it would be returned to them as double the amount of Rs.2,00,000/-, the defacto complainant also invested the amount and the petitioner as well as the other accused persons have cheated the defacto complainant and based on the complaint, an FIR was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner was not at all involved in the present case and he is also one of the investors in the present case. The FIR also states about the 1st accused and another accused person and this petitioner is innocent who has also appeared before the concerned police for enquiry and he agrees that if bail is granted, he is ready



to abide by any conditions being imposed upon him and thereby prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that the petitioner and the other accused persons approached the defacto complainant and several other persons and informed them that they are running a firm namely M/s. Quantum Profits Group of Companies. On the assurance given by the petitioner that if they invest a sum of Rs.1,00,000/- it would be returned to them as double the amount of Rs.2,00,000/- and based on the same, the defacto complainant also invested the amount and the petitioner as well as the other accused persons have cheated the defacto complainant. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances and also the submissions made by the learned Additional Public Prosecutor, 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 Chief Judicial Magistrate Court, Puducherry, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties 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) if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(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., until further orders.

(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/-

12/10/2021

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 CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY

2 THE UNION TERRITORY OF PUDUC
HERRY REP BY, INSPECTOR OF POLICE,
CID POLICE STATION,
PUDUCHERRY

3 THE PUBLIC PROSECUTOR
PUDUCHERRY

+2 CC to M/S.U.DEVASENATHIPATHI Advocate on payment of
necessary charges Sr.11449

CRL OP.19379/2021

Date :12/10/2021

RVR 18/10/2021