



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI  
CRIMINAL ORIGINAL PETITION No.20094 of 2021

B.VASANTHAKUMAR

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
INSPECTOR OF POLICE,  
CCIW POLICE STATION,  
SALEM DISTRICT.  
CR.NO. 02 OF 2021.

[ RESPONDENT ]

For Petitioner : M/S. B.VASUDEVAN Advocate

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

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 408, 420 of IPC in Cr.No.02 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has been arrayed as 4th accused in this case. The petitioner along with other accused persons pledged fake jewels and obtained loan for a sum of Rs.93,79,316/- lakhs. Insofar as the petitioner is concerned, he obtained loan a sum of Rs.3,30,000/- Hence the defacto complainant made a complaint against the petitioner and other accused.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Further the learned counsel submitted that the petitioner is only an employee in the said company. However, he is ready to pay a sum of Rs.3,30,000/- in favour of the defacto complainant and prays for grant of anticipatory bail.



4. The learned Government Advocate submitted that if the petitioner is ready to pay the said amount, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submission made on either side, this court inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate-IV, Salem, within a period of four weeks from the date of receipt of a copy of this order and on further condition that:

(a) the petitioner shall pay a sum of Rs.3,30,000/- (Rupees Three lakhs thirty thousand only) by way of cash/ demand draft to the credit of Crime Number, before the learned Judicial Magistrate-IV, Salem without prejudice to his defence before the trial Court within a period of two weeks from the date of receipt of copy of this order and the learned Judicial Magistrate, after perusing the Demand Draft, shall accept the sureties furnished by the petitioner. Thereafter, the learned Judicial Magistrate is directed to disburse the amount to the defacto complainant on filing an appropriate undertaking affidavit before the trial Court.

(b) 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;

(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.

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-sd/-  
27/10/2021

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.IV, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE  
SALEM(FOR INFORMATION)

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,  
CCIW POLICE STATION,  
SALEM DISTRICT.

CC to M/S. B.VASUDEVAN Advocate on payment of necessary charges  
Sr.11903

CRL OP.20094/2021

Date :27/10/2021

RVR 17/11/2021



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