



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20660 of 2021

ANANDAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SATHYAMANGALAM POLICE STATION,
ERODE DISTRICT.
CRIME NO.442 OF 2019.

[RESPONDENT]

For Petitioner : M/S.J.RANJITHKUMAR Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

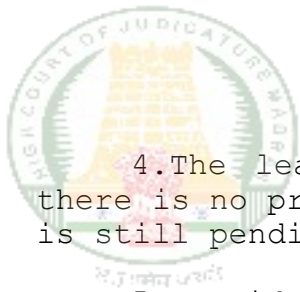
ORDER : The Court Made the following order :-

(The case has been heard through video conferencing)

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 420, 468, 471 and 120(b) in Crime No.442 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint against Thangaraj(A1), who was running a business in the name of "Relief herbal" Ayurvedic products and the defacto complainant invested Rs.9,50,000/- to get daily profit. The said amount was cheated by the one Thangaraj. Hence, this complaint has been lodged by the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person. He has been falsely implicated in the case and he was only an employee in the said company. Hence, he seeks anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) would submit that there is no previous case against the petitioner and the investigation is still pending.

5.Considering the facts and circumstances of the case and taking note of the fact that the co-accused was already granted anticipatory bail. Due to illness petitioner/accused No.2 has not complied the condition. Therefore, the reason stated by the petitioner's counsel is satisfactory. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate No.I, Sathyamangalam, Erode, 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 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;

(b) the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

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

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

(e) 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;



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

WEB COPY

-sd/-
12/11/2021

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, SATHYAMANGALAM, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
SATHYAMANGALAM POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.RANJITHKUMAR Advocate on payment of necessary charges

CRL OP.20660/2021

Date :12/11/2021

JPA 16/11/2021