



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

Friday, the Twenty Ninth day of October Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20328 of 2021

SAKTHI @ SAKTHIVEL

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
CCB, EDF-I, TEAM-II,
CHENNAI DISTRICT
(CR. NO. 345/2020)

[RESPONDENT]

For Petitioner : M/S V. RAMACHANDRAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/A4, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420 & 506(i) of I.P.C in Cr.No.345 of 2020, seek anticipatory bail.

2. The case of the prosecution is that there was a business transaction between the De-facto Complainant and the petitioner herein in which the De-facto Complainant supplied goods for a sum of Rs.1,39,88,883/- and the same was received by the petitioner and the other co-accused persons out of which Rs.56,80,000/- was settled by them however the balance amount was not repaid by the accused persons. When the same was questioned by the De-facto Complainant, the petitioner along with other co-accused persons abused the De-facto Complainant with filthy language and threatened him with dire Consequences which resulted in the Registration of FIR.

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. He further submitted that the petitioner is working as Manager in A1-Firm and was not in any way connected with the financial transaction taken place between the De-facto Complainant and the Firm and its partners. He further submitted that the co-accused person was granted



bail by this Court vide order dated 11.08.2021 in Crl.O.P.No.13777 of 2021. Hence he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that the investigation is pending in this case and that even in the complaint the petitioner is shown as Manager of Al-Firm. Since the defacto complainant was cheated for huge sum of money by the accused persons, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and since the co-accused person was granted by this Court vide order dated 11.08.2021 in Crl.O.P.No.13777 of 2021 and the petitioner is shown as Manager in the FIR, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is granted anticipatory bail and he 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 CCB-CBCID Metropolitan Magistrate, 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)if the petitioner failed 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 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;

(g)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;



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

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-sd/-
29/10/2021

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 CCB-CBCID METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE,
CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
CCB, EDF-I, TEAM-
II, CHENNAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S V. RAMACHANDRAN Advocate on payment of necessary charges Sr.12166

CRL OP.20328/2021

Date :29/10/2021

RVR 15/11/2021