



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

Wednesday, the Tenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20902 of 2021

A.POONGUNDRAM

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU REP BY
THE INSPECTOR OF POLICE,
CID, POLICE STATION,
PUDUCHERRY, CR NO.11/2021,
DATED 05/09/2021

[RESPONDENT]

For Petitioner : M/S.J.LENIN Advocate

For Respondent : M/S N.MALA, ADDITIONAL PUBLIC PROSECUTOR(PUDUCHERRY)

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 offences Under Sections 120B, 406 and 420 of the Indian Penal Code, 1860, in Crime No.11 of 2021 seeks anticipatory bail.

2.The case of the prosecution is the petitioner and the other accused persons approached the defacto complainant and requested him to invest a sum of Rs.1,00,000/- in the "FIT COINS INVESTMENTS" as that it would be returned to him as Rs.2,00,000/-. Expressing their willingness, the defacto complainant and others invested the said amount. Thereby the petitioner and other accused persons cheated the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner is is no way connected with the occurrence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that this Court granted anticipatory bail to co accused in CrI.O.P.No. 19379 of 2021 on 12.10.2021. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that the petitioner along with others cheated the defacto complainant and others under the project "FIT COINS INVESTMENTS", Hence, he opposed grant of anticipatory bail to the petitioner.

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5. In view of the above submissions, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on their 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 at Puducherry on condition that the petitioners 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 Station daily until further orders.

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

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

-sd/-

10/11/2021

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 CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY

2 THE INSPECTOR OF POLICE,
CID, POLICE STATION,
PUDUCHERRY

3 THE PUBLIC PROSECUTOR
PUDUCHERRY

+2 CC to M/S.J.LENIN Advocate on payment of necessary charges
sr.12696

CRL OP.20902/2021

Date :10/11/2021

RVR 17/11/2021