



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1203 of 2022

S.Baskaran

... Petitioner

Vs.

State represented by
Inspector of Police,
EOW-II,
Erode District.
Crime No.1068 of 2012

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of their arrest pending investigation in C.C.No.7 of 2021 in Crime No.1068 of 2012 pending before the Special Sessions court for trial Cases under TNPID Act, Coimbatore.

For Petitioner : Mr.G.Saravanabhavan

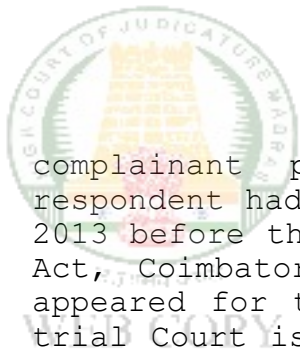
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 420 of IPC r/w 5 of TNPID Act in C.C.No.7 of 2021 in Cr.No.1068 of 2012 of IPC, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had started a business in the name of Boss Emu farms and Boss Poultry Farms along with three members. It is alleged that there is a dispute arose between the investors and the petitioners thereby the defacto



complainant preferred a complaint as against the petitioner and the respondent had also filed a charge sheet for the same in C.C.No.23 of 2013 before the Special Sessions Court for trial of cases under TNPID Act, Coimbatore and it is further alleged that petitioner did not appeared for trial Court proceedings in the year 2017 and hence the trial Court issued a NBW to the petitioner on 15.12.2017. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner had already settled the amount for some of the investors and further the petitioner is ready to co-operate for the trial proceedings. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to her rights, is ready to deposit the amount of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of the Crime Number 1068 of 2012. Hence, he prays for grant of anticipatory bail to the petitioner with any conditions.

4. The learned Additional Public Prosecutor submits that due to the long absence of the petitioner in the mother case in C.C.No.23 of 2013, a split up charge sheet has been filed against the petitioner in C.C.No.7 of 2021 and the same is pending. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the long duration of the case, this Court is inclined to grant anticipatory bail to the petitioner and further the trial Court is directed to dispose the case within a period of three months.

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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Special Sessions Court for trial of cases under TNPID Act, Coimbatore 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 shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) to the credit of Crime Number 1068 of 2021 within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier before the Special Sessions Court for trial of cases under TNPID Act, Coimbatore. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the the amount of Rs.10,00,000/- was deposited by the



2 THE INSPECTOR OF POLICE
EOW-II, ERODE DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1203/2022

Date :21/01/2022

JPA 31/01/2022