



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

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

Crl.O.P.No.1332 of 2022

1.Saminathan
2.Leelavathi

...Petitioners

Vs.

The State Represented by
The Inspector of Police,
Town Police Station, Pondicherry.
(Crime No.181 of 2019)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in crime No.181 of 2019, on the file of the respondent Police.

For Petitioners : Mr.R.Vivekananthan

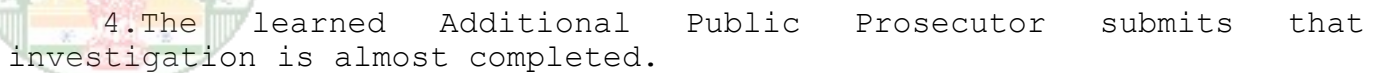
For Respondent : Mr.V.Balamurugane
Public Prosecutor(Pondicherry)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 420, 506(ii) and Section 149 of IPC, in Cr.No.181 of 2019, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that based on the complaint lodged by the defacto complainant on 22.01.2014 at Karaikal, accused persons along with others, fraudulently and dishonestly gave false promise to the defacto complainant to invest any amount, which will be doubled within a certain period. It is further alleged that by believing the same, the defacto complainant had invested sum of Rs.89,00,000/- at the time of maturity, the accused persons neither repaid maturity amount nor the principal amount. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the co-accused was arrested and released on bail and the petitioners are falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.



6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on their 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 Judicial Magistrate No.II, Karaikal, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation;

(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 has 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.

WEB COPY

-sd/-
03/02/2022

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.II,
KARAIKAL.

2 THE CHIEF JUDICIAL MAGISTRATE,
PUDUCHERRY (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
PUDUCHERRY.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S. R.VIVEKANANTHAN Advocate on payment of necessary charges SR.NO.2008

CRL OP.1332/2022

Date :03/02/2022

INBA~10/02/2022