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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

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

CrI.O.P.No.2305 of 2022

K.R.Krishnan

.. Petitioner

Vs.

State represented by
The Inspector of Police,
T-3 Korattur Police Station,
Chennai.
Crime No.998 of 2021

... Respondents

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 in Cr.No.998 of 2021 on the file of the
respondent police.

For Petitioner : Mr. D.Prabu

For Respondent : Mr. A.Gokulakrishanan
Additional Public Prosecutor

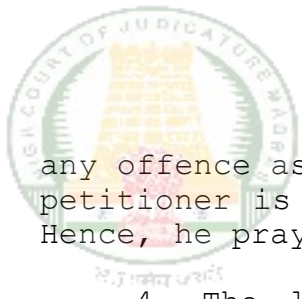
ORDER

(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
406 and 420 of I.P.C, in Crime Number 998 of 2021, on the file of the
respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 is the Managing
Director and A2 and A3 investors of the business in the name and
style of M/s. Saravana Business.inc. The petitioner is arrayed as A2.
It is alleged that the defacto complainant entered into an agreement
and invested a sum of Rs. 20 lakhs and thereby A1 absconded. Hence,
the defacto complainant lodged a complaint before the law enforcing
agency.

3. The learned counsel appearing for the petitioner submits that
the petitioner falsely implicated in the case and he has not committed



any offence as alleged by the prosecution. He further submits that the petitioner is no way connected and the main allegation is only on A1. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that more than Rs.20 lakhs was involved and further submitted that still some of the accused are absconding. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that complaint was lodged in the year 2019 against A1 and there is no specific overt act against the petitioner to that effect he produced the CSR receipt, hence this Court is inclined to grant anticipatory bail to the petitioner.

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 Judicial Magistrate, Ambattur 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 on every Friday 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 has been imposed and the petitioner is 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;

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-sd/-

02/02/2022

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,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
T-3 KORATTUR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S D.PRABU Advocate on payment of necessary charges
SR.No.1749

CRL OP.2305/2022

Date :02/02/2022

CSK 11/02/2022