



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

WEB COPY

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Cr1.O.P.No.3362 of 2022

S.Prem Jabakumar

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Economic Offence Wing-II,
Guindy, Chennai-600 032.
(Crime No.17 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime.No.17 of 2021 on the file of the Inspector of Police, Economic Offence Wing-II, Guindy, Chennai.

For Petitioner : Mr.J.Ramesh

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner/A4, who was arrested and remanded to judicial custody on 03.12.2021 for the offences punishable under Sections 409, 420 read with 34 IPC and Section 5 of TNPID Act in Crime No.17 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution that the defacto complainant was cheated by the petitioner along with the other accused while she started her short term trading with the accused persons.

3.Learned counsel for the petitioner would submit that the name of this petitioner not found in the First Information Report and the co-accused was granted bail by this court and the petitioner may be granted bail.

4.Learned Additional Public Prosecutor appearing for the respondent submitted that there are totally five accused and the petitioner who is A4 along with other accused on the false promise of



doubling the money cheated the defacto complainant and other depositors and this petitioner was arrested on 03.12.2021 and the investigation is almost completed. She opposed for granting bail to the petitioner by filing counter.

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5. Considering the facts and the submissions made, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.1,00,000/- (Rupees One Lakh only)** with two sureties, each for a like sum to the satisfaction of the learned Special Judge TNPID Act, Chennai.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to appear before the Investigating Officer 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) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

03/03/2022

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 SPECIAL JUDGE TNPID ACT,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING-II,
GUINDY, CHENNAI-600 032.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.J.RAMESH Advocate on payment of necessary charges
SR.NO.3213

CRL OP.3362/2022

Date :03/03/2022

TA-04/03/2022