



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5346 of 2022

1 PARTHIBAN @ SARANGADHARA RAJA [PETITIONERS / ACCUSED]
2 KAMATCHI @ SANGEETHA
3 S.SAIMOHAN RAM

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
D-1, TRIPPLICANE POLICE STATION,
CHENNAI.
(IN CRIME NO.986 OF 2021)

For Petitioners : M/S.L.CHRISTOPHER Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 406 & 420 of I.P.C in Crime No.986/2021, seeks anticipatory bail.

2. On perusal of the F.I.R indicates that, it is case of civil transaction where it is alleged that Rs.3,10,000/- is parted away by the defacto complainant to the these petitioner and Rs.1,10,000/- parted away to these petitioners and Rs.2 lakhs given to the 3rd petitioner who are arrayed as A4, A5 and A6 respectively. However, it appears that the petitioners have not produced any document to show that there was an agreement for a sale and also there is no document to show he has paid money in cash to these two petitioners. In any event, it is not a case for custodial interrogation. Hence, anticipatory bail is granted to the petitioners.



3. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XIII Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- each (Rupees Fifty Thousand only), with two sureties 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., 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 anticipatory 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/-
11/03/2022

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 METROPOLITAN MAGISTRATE,
NO.XIII, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
D-1, TRIPLICANE POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.L.CHRISTOPHER Advocate on payment of necessary
charges SR.NO.3827

CRL OP.5346/2022

Date :11/03/2022

JPA 16/03/2022