



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6519 of 2022

1 R.JEEVANANTHAM
2 M.RAMESH

[PETITIONERS / ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PERAMBALUR POLICE STATION,
CRIME NO.1187 OF 2021.

[RESPONDENT]

For Petitioners : M/S.A.PUNITHAN 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 at the hands of the respondent police for the alleged offences punishable under Sections 406 & 506(i) of IPC and Section 3 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 in Crime No.1187 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are arrayed as A6 & A5 in a complaint given by the defacto complainant alleging breach of trust and intimidation. From the First Information Report, it indicates that there was some money transactions between the defacto complainant and A1 & A2. Pursuant to that A2 sold the property to A5 and A6, the petitioners herein. This first transaction has taken place in the year 2018 and in this connection there is also a Civil suit pending.

3. The content of the complaint is more of Civil in nature and already a Civil suit is pending. Taking note of the facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Perambalur, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioners shall report before the respondent police as and when required;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 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;

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

-sd/-

22/03/2022

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 JUDICIAL MAGISTRATE,
PERAMBALUR

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
PERAMBALUR POLICE STATION,
PERAMBALUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.6519/2022

Date :22/03/2022

JPA 28/03/2022