



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Third day of March Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.6599 of 2022

HARIKRISHNANA

[PETITIONER / ACCUSED]

Vs

1 THE STATE REP BY
THE ASSISTANT COMMISSIONER OF POLICE,
E1, MYLAPORE POLICE STATION,
CHENNAI, TAMILNADU
CRIEM NO.100/2021

[RESPONDENTS]

2 THE INSPECTOR OF POLICE
E1-MYLAPORE POLICE STATION,
CHENNAI, TAMILNADU
CRIME NO. 100/2021

For Petitioner : M/S G.M.GOKUL RAM FOR
M/S.NATHAN AND ASSOCIATES Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 of IPC in Crime No.100 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The First Information Report indicates that the defacto complainant and the petitioner along with A1 has entered into a franchise agreement and in the said franchise agreement there is some breach. After negotiation, A1 & A2 agreed to pay Rs.20,00,000/- as against Rs.36,00,000/-payable. However, while A1 has paid Rs.8,00,000/- on his part, A2/the petitioner herein has not paid any money.

3. The sum and substance of the allegation clearly shows that it is a Civil transaction and the custodial interrogation of the petitioner is not required.



4. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned III Metropolitan Magistrate Court, George Town, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 petitioner 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 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;

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

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

(e) the petitioner 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 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]; and;

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

-sd/-

23/03/2022

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 III METROPOLITAN MAGISTRATE
COURT, GEORGE TOWN, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION)

3 THE ASSISTANT COMMISSIONER OF POLICE,
E1, MYLAPORE POLICE STATION,
CHENNAI, TAMILNADU

4 THE INSPECTOR OF POLICE
E1-MYLAPORE POLICE STATION,
CHENNAI, TAMILNADU

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.NATHAN AND ASSOCIATES Advocate on payment of
necessary charges Sr.4405

CRL OP.6599/2022

Date :23/03/2022

RVR 28/03/2022