



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

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6860 of 2022

1 SIVARAJA @ SIVAKUMAR
2 BABITHA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
GRAND BAZAAR POLICE STATION,
PUDUCHERRY,
CRIME NO.47 OF 2022.

[RESPONDENT]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : MR.V.BALAMURUGANE,
Public Prosecutor for Puducherry.

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 offence punishable under Sections 406 and 418 of IPC in Crime No.47 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.Perused the F.I.R. It appears that the loan transaction for the purchase of vehicle and subsequently leased it out to the petitioners herein. The dispute has arisen between the defacto complainant and these petitioners leading to this complaint. The nature of the complaint is civil in nature.

3.In view of the same, this Court is inclined to grant anticipatory bail to these petitioners with certain conditions. 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 Chief Judicial Magistrate Court, Puducherry on condition that the each petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) each, 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 investigating officer as and when required for interrogation;

(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 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/-
29/03/2022

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 CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY.

2 THE PUBLIC PROSECUTOR
PUDUCHERRY.

3 THE INSPECTOR OF POLICE,
GRAND BAZAAR POLICE STATION,
PUDUCHERRY.

+1 CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary
charges SR.NO. 4801

CRL OP.6860/2022

Date :29/03/2022

RW 04/04/2022