



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8157 of 2022

1 RAJ KUMAR [PETITIONERS / ACCUSED]
2 JEYARAMAN ALAGARSAMY
3 J.UDHAYA KUMAR
4 J.NAGARAJ

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVALLUR.
(CRIME NO.63/2021)

For Petitioner : M/S.T.S.BALASUBRAMANIAN Advocate

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

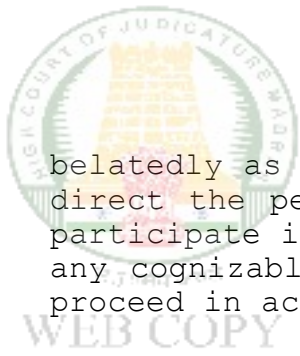
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehending arrest for the alleged offence under Sections 406 & 420 of I.P.C., in Crime No.63 of 2021, seeks anticipatory bail.

2. For a money transaction which is happened in the year 2013, 2014 & 2015. A complaint has been given as if, he has cheated and given an undertaking by the petitioners, in a Rs.50/- stamp paper and two cheques were also relied by the defacto complainant. However, it appears that, it is purely a money transaction between the defacto complainant and the petitioners and there is also a document produced by the petitioner to repay the money to the defacto complainant between 2013 to 2016.

3. Taking note of the fact that, the petitioner has already issued two cheques for the money to be paid and given an undertaking to repay the remaining money. The petitioner has not acted upon for recovery in the manner known to law. The present complaint is filed



belatedly as if the petitioner has cheated anyhow. It suffices to direct the petitioner to appear before the Investigating Officer and participate in the investigation without any deviation and if there is any cognizable offence made out, police may file final report and proceed in accordance with law.

4. Accordingly, the petitioner is ordered to be released on anticipatory 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-I, Thiruvallur, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), each 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., for a period of 30 days, 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

07/04/2022

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-I,
THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SECTION OFFICER,
E.R.SECTION, HIGH COURT, MADRAS.

+3 CC to M/S.T.S.BALASUBRAMANIAN Advocate on payment of
necessary charges SR.No.5385

CRL OP.8157/2022

Date :07/04/2022

CSK 11/04/2022