



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11200 of 2022

K.PRUTHVINATH

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
S10, PALLIKARANAI POLICE STATION,
TAMBARAM COMMISSIONERATE.
CRIME NO.32 OF 2019.

[RESPONDENT]

For Petitioner : M/S.R.S.RAVEENDHREN Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

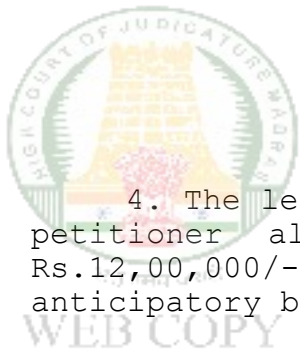
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 & 408 of IPC in Crime No.32 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the first accused were working under the defacto complainant hospital and they were misappropriated the hospital fund to the tune of Rs.12,00,000/- by using the hospital cheque. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the the petitioner is an innocent person and he is no way connected with the alleged offence. He further submitted that the petitioner filed a petition to quash the First Information Report and by this Court vacated the interim order of stay, by an order dated 07.04.2022 in CrI.O.P.No.2946 of 2019. Therefore, the petitioner apprehends arrested. He further submits that without prejudice to his rights of the defence, the petitioner is ready and willing to deposit a sum of Rs.6,00,000/- (Rupees one lakhs fifty thousand only) to the credit of crime No.32 of 2019 and prays to grant anticipatory bail.



4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused cheated to the tune of Rs.12,00,000/- hospital fund. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances in this case and also considering the submission made by the learned counsel appearing for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.6,00,000/- (Rupees six lakh only) to the credit of Crime No.32 of 2019, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Alandur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.6,00,000/- (Rupees six lakh only) to the credit of Crime No.32 of 2019, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.



[g] 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].

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
08/06/2022

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,
ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
S10, PALLIKARANAI POLICE STATION,
TAMBARAM COMMISSIONERATE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.S.RAVEENDHREN Advocate on payment of necessary charges SR.NO.8643

CRL OP.11200/2022

Date :08/06/2022

JPA 13/06/2022