



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11012 of 2022

1 IRUDAYARAJ @ IRUTHAYARAJ [PETITIONERS/ ACCUSED]
2 HELLENPRIYA @ HELAPRIYA

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
VEERANAM POLICE STATION,
SALEM.
(CRIME NO.19 OF 2022)

For Petitioner : M/S.M.GURUPRASAD Advocate

For Respondent : MR.S.UDAYAKUMAR, 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 offence punishable under Sections 420 and 506(i) of IPC in Crime No.19 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the Apex Web Services is an educational service through Internet, in which, the petitioners and the defacto complainant are the members. Due to money transaction between the petitioners and the de facto complainant, the petitioners have threatened the de facto complainant. Hence, she lodged this complaint.

3. The learned Government Advocate (crl.side) for the respondent submitted that the story of the prosecution and the real story of the de facto complaint are totally different. The dispute between the parties is adding members in the unregistered Multi Level Marketing.

4. Taking into consideration the fact that the parties are colleagues, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate-IV, Salem on condition that each of the petitioners shall execute a separate bonds 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) 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 Investigating Officer as and when required for interrogation;

(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 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;

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

-sd/-

11/05/2022

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-IV,
SALEM.



2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
VEERANAM POLICE STATION, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.GURUPRASAD Advocate on payment of necessary
charges SR.No.6992

CRL OP.11012/2022

Date :11/05/2022

CSK 13/05/2022