



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11155 of 2022

1 M.R.SHANMUGAM
2 RAJENDRAN

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
INSPECTOR OF POLICE
ROYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.06 OF 2022.

[RESPONDENT]

For Petitioners : M/S.N.PONRAJ Advocate

For Respondent : MR.S.UDAYA KUMAR, Govt. Advocate (Crl. Side)

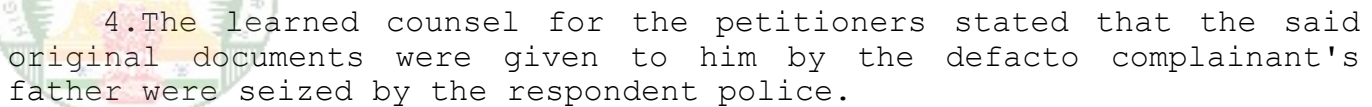
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under sections 120-B, 468, 471, 419, 420, 294(b), 506(1) of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.6 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Heard learned counsel for the petitioners and the learned Government Advocate(Crl.side) and perused records.

3. According to the document dated 06.03.2019, the security documents were handed over to the petitioners by the defacto complainant's father. The complaint alleged that based on the said document dated 06.03.2019 the petitioners have threatened to pay a sum of rupees two crores from the the complainant and it is denied by the petitioner.



5. It seems that there is a dispute between them with regard to the transaction of two crores rupees. According to the petitioners they gave a sum of rupees two crore rupees based on the said security documents given by the defacto complainant's father. Now, the petitioners demanding two crores from the defacto complainant and same was denied by him. It is a money transaction, the petitioners are shall worked out their remedies before the civil Court.

6.Considering the above facts, it is money transaction and civil in nature. Hence, this Court is inclined to grant anticipatory bail to the petitioners with conditions.

7. 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, Thenkanikottai, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/-only (Rupees Twenty Five Thousand Only), 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 shall not threatened the defacto complainant to pay a sum of rupees two crores;

(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 not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall report before the Investigating Officer as and when required for interrogation;

(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 has 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.

WEB COPY

-sd/-
12/05/2022

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,
THENKANIKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
ROYAKOTTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.PONRAJ Advocate on payment of necessary charges

CRL OP.11155/2022

Date :12/05/2022

JPA 17/05/2022