



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12427 of 2022

JACKSON NESAKUMAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
CCD II POLICE,
THIRUVALLUR DISTRICT.
CRIME NO. 48/2022.

[RESPONDENT]

For Petitioner : M/S. A.SURESH SELVAKUMAR Advocate

For Respondent : M/S.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 Section 420 of IPC r/w Section 66D of Information Technology Act, in Crime No.48 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner used to call the defacto complainant and persuaded him to invest money under the guise of earning more from the investment, due to which the defacto complainant also invested some amount. Thereafter, the defacto complainant did not receive any amount for his investment and thereby he was cheated by the petitioner. Hence the complaint.

3. The learned counsel for the petitioner would submit that already the petitioner was granted interim anticipatory bail by this Court on 01.06.2022 and further directed the petitioner to report before the respondent police and co-operate for the enquiry.



4. The learned Additional Public Prosecutor submitted that as directed by this Court, the petitioner promptly appeared before the respondent police and co-operated for the interrogation.

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5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Thiruvallur, 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 report before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

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

[d] the petitioner 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 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].



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

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-sd/-
24/06/2022

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 PRINCIPAL SESSIONS AND
DISTRICT JUDGE, THIRUVALLUR.

2 THE JUDICIAL MAGISTRATE,
NO.II, THIRUVALLUR.

3 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE
CCD-II POLICE,
THIRUVALLUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S. A.SURESH SELVAKUMAR Advocate on payment of
necessary charges SR.NO. 9926

CRL OP.12427/2022

Date :24/06/2022

RW-30/06/2022