



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12739 of 2022

T.RAJAGOPAL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ECONOMICS OFFENCE WING II,
VILLUPURAM,
VILLUPURAM DISTRICT.
CRIME NO.01 OF 2019.

[RESPONDENT]

For Petitioner : M/S.N.SATHYANARAYANAN 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC and the same was altered as 406, 420, 120(B) of IPC and Section 5 of TNPID Act, 1997, in Crime No. 01 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 along with two others started a company in the name and style of "Alwyn Golden City Limited" in the year 2008-2009 and have collected Rs.1,70,87,495/- from the defacto complainant Rani, subscribers and general public for allotment of house plots. Thereafter, neither they returned the money nor allotted the house plots as agreed by them. Hence the complaint.

3. The learned counsel for the petitioner would submit that there are totally eleven accused, in which the petitioner herein is arrayed as A10. He further submits that the accused 1, 2, 3 are the



Directors of "Alwin Golden City Limited". A2 and A3 were arrested and released on bail and subsequently A1 died. As far as A2 is concerned, she was granted anticipatory bail by this Court in CrI.OP.No.18457 of 2019. dated 07.08.2019. He further submits that the accused A9 and A11 were also arrested on 08.05.2022. Only on the confession of co-accused, the petitioner herein has been implicated as accused. According to the prosecution, A1 to A3 only collected money from general public and cheated them. The petitioner herein is neither Director or partners of the said company. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioners are brother and sister of A2 and the entire money have been collected by them and cheated the general public to the tune of Rs.4,85,00,000/-. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the submissions of both side counsel, this Court is inclined to grant anticipatory bail to the petitioners 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 IX Metropolitan Magistrate Court, Saidapet, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood sureties (the sureties shall be a blood relative of the accused), 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.

-sd/-

14/06/2022

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 METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ECONOMICS OFFENCE WING II,
VILLUPURAM,
VILLUPURAM DISTRICT.

+1 CC to M/S.N.SATHYANARAYANAN Advocate on payment of necessary charges SR.NO.9026

CRL OP.12739/2022

Date :14/06/2022

TA-20/06/2022