



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12660 of 2022

SENTHIL @ SENTHILKUMAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VILLUPURAM & DISTRICT
CRIME NO.39/2020

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : M/S.V.MEGANATHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under section 420 and 506(ii) of IPC, in Crime No.39 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused cheated the de-facto complainant to the tune of Rs.1,77,00,000/- stating that they would double the amount within two months. The petitioner has been arrayed as A3 in this case.

3. The contention of the petitioner is that he is a known person to A1 and A2 and he introduced them to the de-facto complainant. The only allegation against the petitioner is that he was present when the de-facto complainant handed over Rs.7,00,000/- to the accused A1 and A2, who were arrested and later released on bail. He further submitted that except the said allegation nothing was stated about him.



4.The learned Government Advocate (Criminal Side) submitted that the petitioner introduced A1 and A2 to the de-facto complainant. They had jointly received the said amount from the de-facto complainant and promised to purchase precious stones and double the amount.

5.Heard the submissions made by the learned Counsel appearing for the petitioner and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the fact that the FIR was registered in the year 2020 and except the allegation of introducing the other accused to the defacto complainant, there is no other overt act against the petitioner and hence, this Court is inclined to grant anticipatory bail to the petitioner subject to imposing the following conditions.

7.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 District Munsif-cum-Judicial Magistrate, Vikkaravandi, Villupuram District, 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 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 Court concerned 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 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]; and;



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

WEB COPY

-sd/-
27/05/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VIKKARAVANDI,
VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VILLUPURAM & DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.SASIKUMAR Advocate on payment of necessary
charges SR.NO. 8102

CRL OP.12660/2022

Date :27/05/2022

RW-01/06/2022