



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.13933 of 2022

Kalayanasundaram

.. Petitioner/A4

Vs.

The State represented by,
The Inspector of Police,
The E.O.W-II,
Villupuram Police Station,
Villupuram District
crime No.2 of 2020

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.2 of 2020 pending investigation on the file of the respondent police.

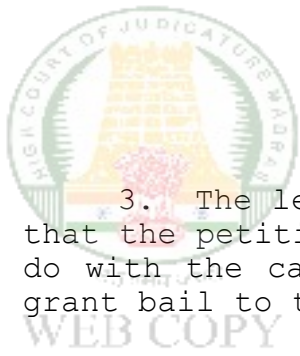
For Petitioner : Mr.S.Kingston Jerold

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.05.2022 for the offence punishable under Sections 409 & 420 of IPC altered to 406, 420, 120(B) of IPC r/w 4(1), 76 Chit Fund Act, 1982 in crime No.2 of 2020 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner along with other accused persons, in the name of 'Deevali Chit Fund' collected about Rs.1,38,00,000/- from nearly 2000 persons and failed to repay the same. Hence, the case.



3. The learned counsel appearing for the petitioner would submit that the petitioner is only an employee under A1 and he has nothing to do with the case as alleged by the prosecution. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally six accused, in which the petitioner is arrayed as A4, who is a collection agent working under A1. He would further submit that from nearly 2000 persons, they have collected about Rs.1,38,00,000/-. He would further submit that A1, 5 & 6 were arrested and already released on bail

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Villupuram and on further conditions that:

[a] 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. and 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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/-
16/06/2022

WEB COPY

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 CHIEF JUDICIAL MAGISTRATE
VILLUPURAM

2 THE INSPECTOR OF POLICE,
THE E.O.W-II, VILLUPURAM POLICE STATION,
VILLUPURAM DISTRICT.

3 THE OFFICER INCHARGE
SUB JAI, VEDAMPATTU, VILLUPURAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.KINGSTON JEROLD Advocate on payment of necessary charges SR.NO.9358

CRL OP.13933/2022

Date :16/06/2022

JPA 16/06/2022