



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.13068 of 2022

1 S.S.SANKAR

[PETITIONERS/ ACCUSED]

2 S.ARUNA

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VELLORE 9.
(CRIME NO.7/2022)

[RESPONDENT]

For Petitioner : M/S.K.SASINDRAN Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable u/s.408 and 418 IPC in Crime No.7 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have collected money from the customers and failed to account for the same. Hence the complaint.

3.The learned counsel appearing for the petitioners disputed the same and submitted that out of a misunderstanding between the petitioners and the Management this case has been foisted against the petitioners. He would also submit that to show their bonafide the petitioners are ready to deposit a sum of Rs.5,00,000/- (Rupees Five lakhs only) to the credit of the crime number.

4.The learned Additional Prosecutor appearing for the respondent would submit that the petitioners have moved the defacto complainant's unsold stocks on credit to the dealers and collected money from the customers and has not accounted for the same.



5. Taking into consideration the facts and circumstances of the case and also taking into consideration the willingness expressed by the petitioners to deposit a sum of Rs.5,00,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate III, Vellore, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum 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 petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.7 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioners shall report before respondent police as and when required for interrogation.

[e] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[f] the petitioners shall not abscond either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



[h]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

01/06/2022

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 JUDICIAL MAGISTRATE-III,
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
VELLORE 9.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.K.SASINDRAN Advocate on payment of necessary charges
SR.No.8447

CRL OP.13068/2022

Date :01/06/2022

CSK 03/06/2022