



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.13460 of 2022

1 M.Y.AHMEDHIJAZ
2 ANANDHAN
3 SUBRIMANIYAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
CHINTADRIPET POLICE STATION,
CHENNAI.
CRIME NO. 153/2022.

[RESPONDENT]

For Petitioner : M/S. R.C.PAUL KANAGARAJ 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 petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 342, 406, 420 and 506(ii) of IPC, in Crime No.153 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant were doing business. It is alleged that due to money dispute, the petitioners threatened the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that on the complaint lodged by one Meena, the defacto complainant herein, the present FIR has been registered as if the petitioner received a sum of Rs.26 Lakhs to avail loan. Whereas, the



complaints were lodged by various persons for the same set of allegations as against the defacto complainant. Almost 3 cases were registered in Crime Nos.409 of 2019, 410 of 2019 and 411 of 2019 on the file of the Inspector of Police, D-1 North Beach Police Station, Flower Bazaar, Chennai. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners.

5. A perusal of the FIRs produced by the learned counsel for the petitioners revealed that for the same set of allegations, the FIRs have been registered against the defacto complainant herein and also other 2 persons. Therefore, it seen that only to escape from the clutches of law, the present case has been registered as against the petitioners. Except the present crime number, no case has been registered against the petitioners.

6. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the XIV Metropolitan Magistrate, Egmore, on condition that each of the petitioners 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 first and third petitioners alone shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. The Second petitioner shall appear before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 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].

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

-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 METROPOLITAN MAGISTRATE,
NO.XIV, EGMORE, CHENNAI.

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

3 INSPECTOR OF POLICE,
CHINTADRIPET POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.C.PAUL KANAGARAJ Advocate on payment of necessary charges

CRL OP.13460/2022

Date :24/06/2022

RW-01/07/2022