



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14078 of 2022

1 MOHAMMED SAALIM
2 MARSHAL SURESH

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
RANIPET POLICE STATION,
EARLIER VELLORE DISTRICT,
NOW RANIPET DISTRICT.
CRIME NO.610 OF 2019

[RESPONDENT]

For Petitioner : M/S.C.ARUN KUMAR 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), 420 & 506(i) of IPC in Crime No.610 of 2019, seek anticipatory bail.

2. The case of the prosecution is that de-facto complainant was engaged by the petitioners to provide security service for their company. After availing security service, the petitioners failed to pay charges to the tune of Rs.21,52,069/- for the period August 2018 to February 2019.

3. The learned counsel appearing for the petitioners would submit that the petitioners engaged the de-facto complainant's company agreed to deploy security services to guard for their Company.



4. Even according to the case of the prosecution, the petitioners failed to pay part of the charges and thereafter, there was transactions between the de-facto complainant and the petitioners. As such, custodial interrogation of the petitioners does not required in this case and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 learned District Munsif Cum Judicial Magistrate, Ranipet, on condition that each of the petitioners shall execute a separate 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 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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.

WEB COPY

-sd/-

20/06/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, RANIPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
RANIPET POLICE STATION,
EARLIER VELLORE DISTRICT,
NOW RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.C.ARUN KUMAR Advocate on payment of necessary
charges SR.NO. 9562

CRL OP.14078/2022

Date :20/06/2022

RW-24/06/2022