



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14315 of 2022

1 SAKTHIVEL
2 RANGARAJAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
THIYADURGAM POLICE STATION,
KALLAKURICHI DISTRICT.
(CRIME NO.110 OF 2022)

[RESPONDENT]

For Petitioners : M/S.M.SENTHILKUMAR Advocate

For Respondent : MR.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), 506(i) and 420 of IPC, in Crime No.110 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners demanded a sum of Rs.11,00,000/- from the defacto complainant for arranging a job for the defacto complainant's son. It is alleged that the petitioners neither arranged a job nor returned the money thereby cheated the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each to the credit of Crime No.110 of 2022, without prejudice to their right of defence.



4. The learned Additional Public Prosecutor would submit that the petitioners are arrayed as A1 and A2. They have collected a sum of Rs.11,00,000/- from the defacto complainant assuring that they will get a job in TNEB. However, they failed to get any employment for the defacto complainant's son and as such they returned a sum of Rs.6,00,000/- and they failed to return the balance amount of Rs.5,00,000/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each, without prejudice to their right of defence, to the credit of Crime No.110 of 2022, within a period of four weeks from the date on which the order copy made ready and on such deposit 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 Judicial Magistrate No.II, Kallakurichi, 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 petitioners shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each, to the credit of Crime No.110 of 2022, before the concerned Magistrate, within a period of four 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 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.

[e] the petitioners shall not tamper with 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 229A IPC.

-sd/-
22/06/2022

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,
NO.II, KALLAKURICHI

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIYADURGAM POLICE STATION,
KALLAKURICHI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary charges SR.NO.9778

CRL OP.14315/2022

Date :22/06/2022

JPA 27/06/2022