



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14273 of 2022

P.AMARNATH

[PETITIONER / ACCUSED]

Vs

STATE OF TAMILNADU THROUGH
THE INSPECTOR OF POLICE,
T3, KORATTUR POLICE STATION,
CHENNAI DISTRICT.
CRIME NO. 340/2022.

[RESPONDENT]

For Petitioner : M/S.V.KARTHIKEYAN 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 petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 IPC in Crime No.340 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner owns a company named JRP Infra Ltd., a company which supplies materials, tools and tackles at SOR rates. A person named Mr.Babu has been working in the JRP Infra Ltd. Under contractual basis wherein his job is to organise manpower for the JRP Infra Ltd company as and when required. The company employed Mr.Babu for bringing man power for a maintenance work at CPCL. The said person was unable to comply with the requirement of the nature of work and so the company (JRP Infra Ltd) had to resign him from the work and also paid the salary accordingly. The salary has been sent to Babu's bank account. After the said transfer, the said Babu has insisted for exorbitant money for the work, which was not at all fixed or accepted by the company. Consequently, the said Babu has been creating nuisance in the company



and to the employees of the company which resulted in major loss for the company. He had also threatened the petitioner to settle the excess amount which he is demanding for. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submits that there was an employer and employee dispute between the petitioner and the defacto complainant, following which, there was a quarrel among them, as a result of which, the injured sustained injuries. He further submitted the injured was discharged from the hospital on 24.05.2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

7. Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Ambattur on condition that the petitioner 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 petitioner shall report before the respondent police at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation.

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

[d] the petitioner 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 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/-

21/06/2022

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,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-3, KORATTUR POLICE STATION,
CHENNAI DISTRICT.

+1 CC to M/S.V.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.9752

CRL OP.14273/2022

Date :21/06/2022

TA-24/06/2022