



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14456 of 2022

1 P.ANTONY IMALAYAN [PETITIONERS / ACCUSED]
2 JOSPEHINE JAMUNA
3 A.SAGAYARAJ
4 J.SUSAIRAJ
5 AMBUROSE
6 SELVARANI

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
K-10, KOYAMBEDU POLICE STATION,
KOYAMBEDU, CHENNAI.
(CRIME NO.77 OF 2022)

For Petitioner : M/S.D.PRABU 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 447, 325, 307 and 355 of IPC, in Crime No.77 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners were working in the defacto complainant's college from the year 2011. In the year 2020 the defacto complainant went to his native place. At that time, the petitioners swindled to the tune of 25,00,000/- from the defacto complainant's college and abused and threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioners were working in the defacto complainant's college and the defacto complainant failed to pay their salaries. Further, he



submitted that the defacto complainant lodged a false complaint against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioner swindled to the tune of Rs.25,00,000/- from the defacto complainant's college. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

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

6. 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 **Metropolitan Magistrate - V, Egmore, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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 appear 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.

-sd/-

23/06/2022

WEB COPY

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.V, EGMORE, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
K-10, KOYAMBEDU POLICE STATION,
KOYAMBEDU, CHENNAI.

+1 CC to M/S.D.PRABU Advocate on payment of necessary charges
SR.NO.10038

CRL OP.14456/2022

Date :23/06/2022

TA-28/06/2022