



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14718 of 2022

1 K.SANGEETH NATRAYAN
2 SHARMILA

[PETITIONERS/ ACCUSED]

Vs

THE INSPECTOR OF POLICE
K-1, SEMBIUM PS, PULIANTHOPE,
CHENNAI.
(CRIME NO.415 OF 2022)

[RESPONDENT]

For Petitioner : M/S.M.KAVERI SELVAM Advocate

For Respondent : M/S.V.J.PRIYADARSANA, Govt.Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 406, 417, 420 & 506(i) of IPC in Crime No.415 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant run business in the name and style of M/s.Sri Vinayaga Enterprises and rents out Transit Mixer Lorries to M/s.R.Krishnamurthy & Co. The first petitioner herein, being the manager of the said firm, made payment to the tune of Rs.2,00,000/- towards bills raised by the defacto complainant however, refused to pay the balance amount of Rs.14,53,208/-. When the same was questioned by the defacto complainant's husband, the petitioners threatened them with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He



further submitted that a civil suit filed by the petitioners against the defacto complainant was pending before the City Civil Court, Chennai. Hence, he prays to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the allegation against the petitioners is that they have denied to pay the remaining amount for the goods supplied to them by the defacto complainant. When the same was questioned by the defacto complainant, the petitioners threatened him with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, this Court finds that the custodial interrogation of the petitioners need not require. Hence, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 learned V Metropolitan Magistrate, Egmore on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 first petitioner 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 and insofar as the second petitioner is concerned, the second petitioner shall report 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/-

27/06/2022

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 V METROPOLITAN MAGISTRATE,
EGMORE.

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

3 THE CITY CIVIL COURT,
CHENNAI.

4 THE INSPECTOR OF POLICE
K-1, SEMBIUM PS, PULIANTHOPE,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.KAVERI SELVAM Advocate on payment of necessary charges SR.No.10083

CRL OP.14718/2022

Date :27/06/2022

CSK 04/07/2022