



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14875 of 2022

1 LATHA

[PETITIONERS / ACCUSED]

2 N.CHANDRASEKARAN

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE

CENTRAL CRIME BRANCH POLICE STATION,

TIRUPUR CITY.

CR.NO.4 OF 2022.

For Petitioner : M/S. R.PRABAKAR Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

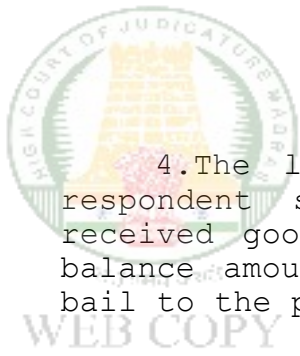
ETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 120B, 420, 409 IPC in Crime No.4 of 2022 on the file of the respondent police, seek anticipatory bail.

2. There are totally eleven accused in this case. The case of the prosecution is that there was a business transaction between the petitioners and the defacto complainant through mediators. However, the petitioners, after receipt of yarn to the value of Rs.56,00,000/- from the defacto complainant's company have failed to pay the balance amount. 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. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners are alleged to have received goods from the defacto complainant and failed to pay the balance amount. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that it is the case of business transaction, custodial interrogation of the petitioners need not be required. 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 Judicial Magistrate II, Tiruppur 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 petitioners shall report before the respondent police once in a week i.e., every Monday at 10.30 a.m until further orders.

[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/-

28/06/2022

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 JUDICIAL MAGISTRATE,
NO.II, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH POLICE STATION,
TIRUPUR CITY.

+1 CC to M/S. R.PRABAKAR Advocate on payment of necessary charges SR.NO.10203

CRL OP.14875/2022

Date :28/06/2022

TA-05/07/2022