



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.15215 of 2022

THIRUMAL

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURUCHI DISTRICT
CR.NO.154 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.D .JOHNSON Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

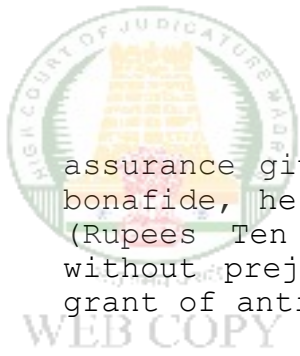
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 406, 420, 466, 471 & 506(ii) of IPC in Crime No.154 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein is running a company called Sakthi Group of Traders and Co. and also a Trust in the same name. Thus on the sale of Iridium, the petitioner is alleged to have stated that he had received a sum of Rs.1400 Crores from Reserve Bank of India and in turn he wants to give the same to the beneficiaries. Thus he made the de-facto complainant and others to believe that once they give an initial amount, the sum of Rs.1400 Crores will be shared among all the beneficiaries thus ranging from Rs. 5 Lakhs to 50 Lakhs. Thereafter, as the petitioner had received the money from them and never gave back the same as stated earlier, the present complaint has been lodged.

3. The learned counsel appearing for the petitioner would submit that even according to the case of the prosecution, the de-facto complainant paid a sum of Rs.10,00,000/- to the petitioner under various undertakings. However, thereafter the petitioner failed to add the beneficiaries and also did not acted upon as per the



assurance given by him. He further submitted that to show of his bonafide, he is ready and willing to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of crime No.154 of 2022, without prejudice to his right of defence. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.154 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Villupuram 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 deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.154 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner 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 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].

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

01/07/2022

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.I, VILLUPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURUCHI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.D .JOHNSON Advocate on payment of necessary charges
Sr.10482

CRL OP.15215/2022

Date :01/07/2022

RVR 06/07/2022