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CrI.O.P.No.22035 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.No.22035 of 2022

A.Patric Mari Vijay Murugappa

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
EDF -II, Team No.III,
Central Crime Branch,
Vepery, Chennai.

(Crime No.112/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in connection
with the Crime No.112 of 2022 on the file of the respondent Police.

For Petitioner	:	Mr.A.Saravanan for M/s. Daisy John
For Respondent	:	Mr.C.E.Pratap Government Advocate (CrI.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.07.2022 for the offences punishable under Sections 406, 420, 465, 467, 468, 471, 120B r/w Section 34 of IPC, in Crime No.112 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused colluded together representing the non-existing companies and made the de-facto complainant to provide services by investing money for good returns. Believing their words, the de-facto complainant has paid a sum of Rs.4,26,07,438/- for the shipment of cargo, whereas it is alleged that there is no shipment of cargo and also the documents furnished by the accused are forged one. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person who was working as the Accountant and he has acted as per the instructions of the first accused and other than



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that he has nothing to do with the alleged offence and he is not a beneficiary of the amounts. He would also submit that the co-accused in this case has already been granted with bail by this Court in CrI.O.P.No.19624 of 2022 vide order dated 22.08.2022 and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent would submit that the petitioner is an Accountant in the company who had manipulated the accounts with the help of the other accused. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the co-accused in this case has been granted with bail by this Court, this Court is inclined to grant bail to the petitioner.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Metropolitan Magistrate, CCB & CBCID Cases, Egmore, Chennai**, and on further conditions that:

[a] 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, every day at 10.30 a.m. and at 5.30p.m., for a period of six weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

13.09.2022

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To

1. The Metropolitan Magistrate, CCB & CBCID Cases, Egmore, Chennai.
2. The Inspector of Police,
EDF -II Team No.III,
Central Crime Branch,
Vepery, Chennai..
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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