



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No24619 of 2021

G.Christopher Edison Sunder Singh

...Petitioner

Versus

State Rep by
Inspector of Police,
Perundurai Police Station,
Perundurai, Erode District.
(Crime No120 of 2020)

...Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of their arrest in Crime No120 of 2020, pending on the file of the respondent police.

For Petitioners : Mr.S.Sathish

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 467, 468, 471, 420 of IPC in Crime No120 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. Totally there are four accused in this case. The petitioner herein is arrayed as A1. The case of the prosecution is that there was a family dispute between the petitioner and the defacto complainant. Further, the petitioner had cheated the defacto complainant for a sum of Rs.20 crores by creating the fake arbitration award. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner herein is an Advocate and in order



to safeguard the properties, the petitioner and the defacto complainant entered into an arbitral agreement in Arbitration Case No.1 of 2011 dated 04.03.2011, as a result, the property purchased by the petitioner in her name was given back to the petitioner by the defacto complainant. He further submits that after divorce in the year 2017, the present complaint was registered. He further submits that the defacto complainant was also filed the Arbitration Original Petition before the Principal District Court, Coimbatore disputing the said arbitration award as null and void and the same is pending. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that as per the complaint given by the defacto complainant, the petitioner created fake arbitration award and attempted to grab the property. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, it reveals that they were already separated by way of legal proceedings and thereafter the division of property arose and also considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate, Perundurai, Erode District, 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 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 Court concerned 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 on every Monday and Saturday at 10.30 a.m. until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

07/01/2022

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,
PERUNDURAI, ERODE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PERUNDURAI POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.SATHISH Advocate on payment of necessary charges
SR.NO.404

CRL OP.24619/2021

Date :07/01/2022

RW 03/02/2022