



Crl.O.P.No.855 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.855 of 2023

Saravanakumar,
S/o.Ganesan

.. Petitioner

Vs.

The State represented by
The Deputy Superintendent of Police,
Economic Offences Wing (EOW-II),
Police Training College,
Ashok Nagar, Chennai-83.
(Crime No.16 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in pending trial in C.C.No.7 of 2022 on the file of Special Court under TNPID Act, Chennai.

For Petitioner : Mr.S.Anantha Narayanan,
Senior Advocate for Mr.K.Balu
For Respondent : Mr.Leonard Arul Joseph Selvam
Govt. Advocate (Crl. Side)
For Intervenor : Mr.T.S.Kanmani



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 12.08.2022 for the alleged offence under Sections 420, 120(b) of I.P.C. and Sec.3, 5, 21(1), 21(2), 21(3), 23, 25 of Banning of Unregulated Deposit Schemes Act, 2019 (BUDS Act) and Section 5 of Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997 (TNPID Act) in Crime No.16 of 2022 on the file of the respondent police, pending trial in C.C.No.7 of 2022 on the file of Special Court under TNPID Act, Chennai, seeks bail.

2. The learned counsel for the petitioner would submit that when the matter was taken up for hearing on 19.01.2023, this Court granted interim bail to the petitioner till 20.02.2023 with certain conditions and the matter was adjourned to 20.02.2023 “for Reporting Compliance”. He would further submit that that the conditions imposed by this Court on 19.01.2023 have been complied with by the petitioner, to that effect, he has produced the copy of a demand draft drawn for Rs.1,00,00,000/- (Rupees One Crore only) along with an affidavit, which was filed before the trial court. Hence, he prayed for grant of bail to the



petitioner.

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3. Heard the learned counsel for the petitioner, the learned counsel for the intervenor and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. The learned counsel for the Intervenor would submit that he seeks permission of this Court to withdraw all the Intervening Petitions. On the submissions made by the learned counsel for the Intervenor, Crl.MP.Nos.2672 to 2674 and 2677 of 2023 were dismissed as withdrawn by way of separate order.

5. Considering the submission made by the learned counsel for the petitioner and the conditions imposed by this Court has been complied with, the interim bail granted to the petitioner on 19.02.2023, is made absolute on the following conditions:

(a)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter on every Saturday for another six months.

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



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(c)the petitioner shall not abscond either during investigation or trial;

(d) 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;

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

28.02.2023

Vv



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T.V.THAMILSELVI, J.

Vv

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