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Crl.O.P.No.3170 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.3170 of 2024
and
Crl.M.P.No.3225 of 2024

D. Christal Kumar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
J-3, Guindy Police Station,
Guindy, Chennai,
Crime No.21 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.21 of 2024 on the file of
the respondent.

For Petitioner : Mr.P.K. Ganesh

For Intervenor :Mr. R. Prabhakaran

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



Crl.O.P.No.3170 of 2024

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.01.2024, for the offences registered under Sections 406,408,420,294(b) and 506(i) of I.P.C in Crime No. 21 of 2024 on the file of the respondent Police, seeks bail.

2. It is stated that the petitioner was working as Admission and Training Placement Officer in M/s.Sai Institutions, Guindy, Chennai. It is stated that the petitioner, without the knowledge of the management had received a sum of Rs.2,56,000/- from nine students by way of g-pay. Those students had subsequently joined in M/s SSNT Institutions, Chennai and thereafter they had informed about the payment made to the petitioner to the management of the M/s.Sai Institutions, Guindy, Chennai. Subsequently the petitioner was suspended from service.

3. The learned counsel for the petitioner stated that the money received from the students was paid to the M/s.Sai Institutions, Guindy, Chennai. The said aspect can be examined at the time of trial.

4. Taking all these factors into consideration, I am inclined to grant



bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on condition to 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 **learned IX Metropolitan Magistrate Court at Saidapet** 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 deposit a sum of Rs.2,56,000/- (Rupees Two Lakhs and Fifty six thousand only) to the credit of Crime No.21 of 2024 within a period of 30 days from the date of execution of sureties and date of release before the learned **IX Metropolitan Magistrate Court at Saidapet** and on such deposit, the learned **IX Metropolitan Magistrate Court at Saidapet** may issue notice to the defacto complainant and call them to further issue notice to the nine students who have paid money and on proper identification return the money back to the students. If the students are not available the money may be retained in fixed deposit to the credit of the crime No. till the students come to receive the money.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.



Crl.O.P.No.3170 of 2024

WEB COPY

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

The above miscellaneous petition is allowed.

28.02.2024

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To

- 1.The **IX Metropolitan Magistrate Court at Saidapet**
- 2.The Inspector of Police,J-3, Guindy Police Station,
Guindy, Chennai,Crime No.21 of 2024
- 3.The Central Prison, Puzhal
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN, J.



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