



the pretext of test driving the car. However, the petitioners would state that they have taken possession only after the award was passed in the arbitration proceedings. Earlier, when these petitioners approached this Court for anticipatory bail, this Court vide order dated 13.03.2022, dismissed their anticipatory bail petition on the ground that they cannot illegally take possession of the vehicle without following the due process of law.

3.Now, the learned counsel for the petitioners would state that after dismissal of their anticipatory bail petitions, the petitioners have produced the vehicle to the respondent police and the respondent police has taken possession of the vehicle and produced it before the concerned Magistrate in C.P.No.61 of 2022 dated 05.04.2022.

4.Considering the above development as change in circumstances, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Namakkal, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 conditions that:

(a) the petitioners and the sureties shall affix his 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioners shall report before the Investigating Officer as and when required;

(d)the petitioners 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 has 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.

WEB COPY

-sd/-

14/06/2022

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, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
NALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.V.KARNAN Advocate on payment of necessary charges
SR.NO. 9077 & 9078

CRL OP.Nos.11270 and 13249 /2022

Date :14/06/2022

RW-17/06/2022