



3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and nothing to do with the alleged offence. Based on the complaint lodged by the defacto complainant, the respondent police harassed 2nd petitioner. This Court passed an order in Crl.O.P.No.11321 of 2022 directing the respondent police to conclude the enquiry within a period of two weeks. But, the respondent police failed to conclude the enquiry. The defacto complainant again lodged the complaint as against the petitioners and the 5th accused who is a friend of the defacto complainant had filed a case against the petitioner's firm in STC No.109/2022 before Judicial Magistrate -I, Bhavani. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners have received the said amount and failed to repay the amount and cheated the defacto complainant. Therefore, the defacto complainant lodged complaint as against the petitioners. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Even according to the case of the prosecution, the defacto complainant supplied dry fish products for procured poultry feeds to the tune of Rs.19,25,280/- in which, the defacto complainant had received some part of amount and the petitioners were failed to pay the same. That apart, the petitioners and A5 paid a sum of Rs.20 lakhs as commission for borrowing loan.

(*)6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions"

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on or before 08.07.2022 before the learned Judicial Magistrate, Dharapuram, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that;

[a] the petitioners and 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 petitioners A1, A2 and A4 shall report before the respondent Police daily at Morning 10.30 a.m and Evening 5.00 p.m for a period of four weeks and thereafter as and when required for interrogation and A3 shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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 petitioners 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].

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC''.

-sd/-
17/06/2022

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.

(*) Being mentioned as per order of this Court dated 27/06/2022.
Made in Crl.O.P.NO.14027/2022.

TO

1 THE JUDICIAL MAGISTRATE,
DHARAMPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MOOLANUR POLICE STATION,
TIRUPPUR DISTRICT.

+1 CC to M/S C.S.SARAVANAN Advocate on payment of necessary
charges SR.NO.10174

CRL OP.14027/2022

Date :17/06/2022

TA-23/06/2022

TA-29/06/2022