



WEB COPY



Crl.O.P.No.18600 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 506(2) IPC, in Crime No.133 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was an employee under the defacto complainant. It is alleged that the petitioner misappropriated to the tune of Rs.22 lakhs of the company amount. When the same was questioned by the defacto complainant, the petitioner attacked the defacto complainant and also threatened with dire consequences.

3. On perusal of the FIR reveals that, though there are other allegations, no offence has been registered for misappropriation, that apart, the petitioner resigned from the job as early as 31.12.2021 and the complaint was lodged only on 30.06.2022.

4. Considering the fact and circumstances of the case, this Court



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is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the, **learned Metropolitan Magistrate No.XIV, Egmore** on condition that the petitioner shall execute separate 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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 twice daily at 10.30 a.m., and 04.30.p.m., for a period of four weeks



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and thereafter as and when required for interrogation.

[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]**.

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

11.08.2022

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