



Crl.OP.No.20361 of 2022

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Crl.O.P.No.20361 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 IPC in Crime No.790 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, who is an actor, came in contact with the petitioner and other accused as Co-financiers entered into a financial agreement to the tune of Rs.3 Crores in the production Company. Thereafter, the petitioner along with other accused invested several amounts on various occasions for the business purpose. Further, the petitioner/A1 also opened a Bank account in the name of the defacto complainant and operated the entire transaction without knowledge and consent of the defacto complainant, which resulted in loss of Rs.2 Crores to the defacto complainant. Hence the complaint.



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3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel for the intervenor also fairly conceded and confirmed the settlement arrived between them.

5. The learned Additional Public Prosecutor submitted that the investigation is pending in this case.

6. Considering the facts and circumstances of the case, and also taking note of the fact that the matter was amicably settled between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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



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the date on which the order copy made ready, before the learned Judicial Magistrate XXIII, Saidapet, on condition that the petitioner shall 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 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 daily at 10.30 a.m until further orders.

[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.



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[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.

26.08.2022

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