



Crl.O.P.No.20163 of 2022

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G.K.ILANTHIRAIYAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 420, 467, 468, 408 and 471 of IPC in Crime No.2 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is doing business in the name and style of SRS Japanese Quail Products. It is alleged that one Govindaraj (deceased) was employed as a Manager in his Company and he gave all the powers to maintain all the business transactions of his company. The said Govindaraj died in a road accident in the month of June 2022 and after his demise, the defacto complainant came to know that the said Govindaraj had swindled a sum of Rs.1,21,18,035/- from the Company and transferred the same to the bank account of the family members by creating fabricated bogus documents. Hence, the complaint.



3. There are totally five accused, in which the petitioners are arrayed as A2 and A3. According to the prosecution, the deceased person was working as a Manager in the defacto complainant's company. He had misappropriated to the tune of Rs.1,21,18,035/-. It is further alleged that those amounts were transferred in favour of the petitioners.

4. It is seen that already the accounts of the petitioners have been freezed and even according to the defacto complainant, the deceased/A1 misappropriated to the tune of Rs.1,21,18,035/-. Further, this Court already granted anticipatory bail for the brother of the first petitioner herein.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned



CrI.O.P.No.20163 of 2022

Judicial Magistrate No.II, Tiruppur, on condition that the petitioners shall execute a 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 shall report before the respondent police daily at 10.30 a.m. for a period of six weeks and thereafter 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



CrI.O.P.No.20163 of 2022

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 petitioners 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.

25.08.2022

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