



Crl.O.P.No.20494 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 427 and 506(I) IPC in Crime No.436 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was the founder of Zetek Castings Private Limited and Teknomiec Technologies Private Limited and he also involved in the business of the said companies along with the first petitioner. It is alleged that the second petitioner, working as a senior system admin in the defacto complainant's company, has created a fake email ID in the name of the defacto complainant and forwarded the mails received, to the third and fourth petitioners' company mail ID. Therefore, the defacto complainant lodged a complaint before the CCB. While he was returning home, first and the second petitioners waylaid the defacto complainant and threatened him to withdraw the complaint. Hence, the complaint.

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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the second petitioner, working in the defacto complainant's company, has created a fake email ID in the name of the defacto complainant and forwarded the mails received, to the third and fourth petitioners' company email ID. Therefore, the defacto complainant lodged a complaint before the CCB. However, the petitioners are alleged to have threatened the defacto complainant with dire consequences to withdraw the complaint lodged by the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel appearing for the defacto complainant.



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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, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambattur 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.

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[b] the first and second petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation; Other petitioners 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 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.

30.08.2022

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