



Crl.O.P.No.26037 of 2022

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 465, 468, 471, 420 IPC in Crime No.204 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Sujith Karunakaran is that the accused by fabricating a forged rental agreement and No Objection Certificate had registered his company with the Registrar of Companies showing the address of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that initially the defacto complainant had granted No Objection Certificate to the petitioner to run a company in the name and style of “Albion Investments and Holdings Private Limited”. Subsequently, the petitioner believing that NOC was given to him have applied for another company in respect of the very same address and he has not fabricated any documents. He would submit that since there was no dispute, the



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petitioner has now changed the registered address to some other address.

Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner by forging the signature of the defacto complainant had fabricated the NOC for getting his company registered. He would further submit that the investigation is pending. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

5. Mr.Ruban Prabu, learned counsel appearing for the defacto complainant/Intervenor would submit that earlier, the defacto complainant even without the petitioner being in his premises had given No Objection Certificate and thereafter, using the same, the petitioner had applied for another company. He would further submit that the investigation is pending. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.



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7. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 XIII Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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