



Crl.O.P.No.31424 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 294 (b), 342, 364, 394, 506(ii) IPC in Cr.No.764 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is Distributor of Film. The defacto complainant and this petitioner known each other in their respective business. The defacto complainant is a commission agent who introduces the Producers and Distributors to each other. According to the defacto complainant in the year 2021 after the shooting of Tamil Film namely "Shoe" was completed. He introduced the distributor Mr.Madhuraj to this petitioner and agreement was reached among themselves that for distributing the Film in Tamil Nadu a sum of Rs.20,00,000/- will be paid and a sum of Rs.90,00,000/- will be paid for OTT and Digital Rights. As per the agreement the said Mr.Madhuraj had to pay to this petitioner totally a sum of Rs.1,10,00,000/-. A sum of Rs.17,00,000/- was paid to this petitioner

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by Mr.Madhuraj. However, since the balance sum was not paid, there was exchange of messages between both the parties and on 01.12.2022, in the guise of demanding balance money, stating that they are Advocates of this petitioner, group of presence barged into the Mr.Madhuraj Office and threatened the defacto complainant and others present in the office with dire consequences, at knife point. According to the defacto complainant, the accused had also took them to an undisclosed location and attacked them. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that it is true that this petitioner is a Distributor; the defacto complainant introduced one Mr.Madhuraj for release of the movie under the name shoe and the agreement was entered into and their given advance of Rs.20,00,000/-. Learned counsel further submitted that the petitioner is presently residing at Singapore and he is no way connected with the alleged occurrence that took place on 1.12.2022 and he never instructed the accused to do any illegal act. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

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4.The learned Government Advocate (Crl.side) would submit that there are totally 11 accused in this case and this petitioner is named accused in the FIR and five accused have already been arrested and investigation is still pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts that the petitioner is not present in scene of occurrence and actually he was in Singapore, this Court is inclined to grant anticipatory bail to the petitioner on condition that **the petitioner is directed to surrenders his pass post, for a period of three months, before the learned Metropolitan Magistrate, Court No.XXIII, Saidapet.**

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of **three months** from the date of receipt of a copy of this order, before the learned **learned Metropolitan Magistrate, Court No.XXIII, Saidapet**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two blood related sureties each for a like sum



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to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall **appear before the respondent police and co-operate a investigation for another four weeks.**

(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]***; and;



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21.12.2022

vsn

To

The Metropolitan Magistrate, Court No.XXIII, Saidapet.

vsn



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