



Crl.O.P.No.10011 of 2023

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**S.SOUNTHAR, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 409 and 34 of I.P.C. in Crime No.20 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the Manager of Prings India Private Limited. During an audit conducted, it was found that A-1/Kolangiyappan, who is the employee of the de-facto complainant, along with the petitioner have swindled a sum of Rs.24,01,000/- . Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected to the alleged offence and he has been falsely implicated in this case. He further submitted that the main accused, namely, Kolangiyappan/A-1 was already arrested and released on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Pondicherry) appearing for the respondent police submitted that the petitioner along with A-1/Kolangiyappan have swindled a sum of Rs.24,01,000/-. He further admitted that main accused, namely, Kolangiyappan/A-1 was already arrested and released on bail. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Having regard to the facts of the case and the nature of the allegation made against the petitioner and also of the fact that main accused/A-1 was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



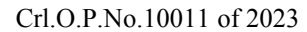
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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Pondicherry**, 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 shall 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. for a period of two weeks and thereafter as and when required for interrogation.**



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

**04.05.2023**

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