



Crl.OP.No.8633 of 2023

Crl.O.P.No.8633 of 2023

S.SOUNTHAR, J.

The petitioners who apprehend arrests at the hands of the respondent police for the offences punishable under Sections 420, 406, 506(1) of IPC in Crime No.30 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that defacto complainant had supplied certain goods to the accused/petitioners during the regular course of business and a complaint has been made to the respondent police for recovery of the value of the amount.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent person and they have been falsely implicated in the case. He would further submit that it is a civil dispute and criminal colour has been given which would disclose from the very reading of the FIR. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (CrI.Side) raised formal objection and opposed to grant anticipatory bail to the petitioners.

5. Having regard to the allegations made against the petitioners which appear to be of civil in nature and other 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 made ready, before the learned VIII Metropolitan Magistrate, George Town Court, Chennai, on condition that the petitioners 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:



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

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