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Crl.O.P.No.9214 of 2023

Crl.O.P.No.9214 of 2023
And
Crl.M.P.No. 8155 of 2023
C.V.KARTHIKEYAN, J.

When the Petition seeking anticipatory bail was filed, the petitioner was not aware of the crime number but now seeks to incorporate the Crime No. 6 of 2023 by way of an amendment in Crl.M.P.No. 8155 of 2023. Amendment Petition in Crl.M.P.No. 8155 of 2023 is allowed.

2. Before issuing the order copy, Registry may incorporate the Cr.No. 6 of 2023 registered by the respondents police under Sections 120(b), 420 and 506(ii) of IPC.

3. The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 420 and 506(ii) of IPC in Crime No. 6 of 2023, seek anticipatory bail.

4. It is stated that pending the petition, the petitioner had appeared before the respondent police and had also handed over the cheque for the amount claimed by the defacto complainant. It is also stated that the amount had already been transferred to the account of the defacto complainant.

5. It is also stated on behalf of the respondent that the



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investigation had been completed but offence had not been made out and the final report dropping the charges would be filed before the jurisdictional Magistrate Court.

6. In view of these facts, 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 No.VI, Salem District, on condition that the petitioners shall execute a separate 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 this Court 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.

[b] the petitioners shall appear before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either



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during investigation or trial.

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[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.

10.10.2023

vsg

C.V.KARTHIKEYAN, J.



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