



Crl.OP.No.10123 of 2023

Crl.O.P.No.10123 of 2023

S.SOUNTHAR, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 & 406 of IPC in Crime No.88 of 2023, seeks anticipatory bail.

2. The allegations against the petitioner is that the defacto complainant worked in the petitioner's company from 31.01.2011 to 28.06.2013 for nearly 29 months and the petitioner failed to pay the salary for the said period of 29 months. Hence, this complaint.

3. The learned Senior Counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has 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 petitioner.



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4. The learned Additional Public Prosecutor raised formal objection and opposed to grant anticipatory bail to the petitioner.

5. Having regard to the allegations made against the petitioner and other facts and circumstances of the case, it appears to be a case of civil in nature. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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 Metropolitan Magistrate (For CCB & CBCID Case), Egmore, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 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. for a period of two weeks and thereafter as and when required for interrogation.

[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 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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