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**V.LAKSHMINARAYANAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 506(i) of I.P.C. r/w 43(b), 66 of Information Technology Act, 2000 in Crime No.207 of 2023 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as an employee with the defacto complainant and in that capacity, he had purchased certain lands on behalf of employer. However, though the defacto complainant company purchased the property in favour of petitioner, it has paid entire sale consideration including other expenses. While being so, he has been relieved from service on 28.09.2021 and the letter notes reads that he has been relieved “with regret”. Thereafter, when the defacto complainant approached him to transfer the land in favour of employer, he said to have refused and demanded a sum of Rs.50,00,000/- and also threatened them. Hence, the present complaint has been lodged against the petitioner.



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3. The learned counsel for the petitioner would submit that he got relieved from the defacto complainant's company along with the service certificate on 28.09.2021 and on 30.12.2022, he has transferred all the properties in favour of defacto complainant's customer company. He would submit that he has also executed a Pathway Rights agreement in favour of defacto complainant's customer company on the same day. He would also submit that as per the agreement, even though the petitioner executed a General Power of Attorney in favour of defacto complainant's customer company, they have lodged the present false complaint against the petitioner. He would submit that he is no way connected with the offence as alleged in the complaint and he is an innocent person and he has been falsely implicated in this case. He would also submit that he is a student and there is no specific overtact attributed against the petitioner and he is ready to comply with any condition imposed by this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that as a trust-worthy employee of the



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management of defacto complainant, it has purchased the property on payment of entire sale consideration in favour of petitioner on the assurance to transfer the same in their favour. While being so, he offered to resign from the company and on believing the assurance given by the petitioner, the defacto complainant relieved him from service on 28.09.2021. However, when the defacto complainant approached him to transfer the land in favour of them, he refused to do so and demanded a sum of Rs.50,00,000/- and also threatened them. He would further submit that if the anticipatory bail is granted to him, he may tamper the evidence and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances and also considering the fact that there was a civil dispute between the petitioner and the defacto complainant, which resulted in a criminal complaint stating that he demanded a sum of Rs.50,00,000/- for transferring the property and also the fact that the evidence seems to have borne out of records, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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-2, Chengalpet, on condition that **the petitioner shall deposit the original documents of the property with the concerned Judicial Magistrate at the time of surrendering** and the petitioner shall also 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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall deposit the original documents of the property with the Judicial Magistrate-2, Chengalpet at the time of surrendering and execution of sureties.**

**[c] the petitioner shall appear before the**



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**respondent police everyday at 10.30 a.m. for the period of eight weeks and thereafter, as and when required for investigation.**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

**24.05.2023**

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**24.05.2023**