



Crl.O.P.No.11866 of 2023

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and Crl.M.P.No.8479 of 2023

G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Section 420 of IPC in Cr.No.7 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that the petitioner is the General Manager of M/s.Seaways Chain (P) Ltd and the petitioner needs to take service of M/s.Apogee Reach Solutions for manpower issues. There is an issue with regard to engaging the manpower and payment with the de-facto complainant. It is purely a civil dispute however, the de-facto complainant had gave a complaint in Cr.No.7 of 2023 only harass the petitioner.

3. Learned counsel for the de-facto complainant/intervener submitted that the petitioner is liable to pay a sum of Rs.46,98,734/- for availing the service of the manpower supply by the de-facto complainant.



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Suddenly, the petitioner had stopped engaging the de-facto complainant.

In spite of several requests have been made, the petitioner has not paid the amount. Hence, he opposed this petition for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) submits that the petitioner has to pay a sum of Rs.46,98,734/- to the de-facto complainant for the manpower supplied by the de-facto complainant. Hence, he he opposed this petition for grant of anticipatory bail to the petitioner.

5. From the consideration of the allegations made in FIR and the submission of the learned counsel for the parties, it is apparent that it is purely a case of business transaction, where it is alleged that certain money is owed by the petitioner to the de-facto complainant. The nature of allegations are to be proved only by documentary evidence. Therefore, this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in



this case.

6. Accordingly, 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 Judicial Magistrate Court No.I, Kancheepuram**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 report before the respondent police everyday at 10.30 a.m., until further



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orders;

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

Consequently, connected miscellaneous petition is closed.

17.07.2023

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