



Crl.O.P.No.14629 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406 and 420 IPC in Crime No.204 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No.204 of 2023 for the offences under Sections 406 and 420 IPC. He further submitted that, in a purely business transaction, defacto complainant gave a false complaint and on that basis, first information report was registered. Apprehending arrest at the hands of the respondent, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes on the ground that, petitioner is running a company called Good Rich Ingredients & Chemicals Private Limited at Kottivakkam. He used to buy raw materials and finished products from various sellers and sell it to the purchasers. Defacto complainant invested a sum of Rs.5,00,000/- in



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petitioner's business, on the promise of complainant received a agreement of assured returns. However, defacto from the petitioner stating that, after the agreement period, he would be repaid only 75% of the invested amount. Not agreeing with this agreement, defacto complainant wanted the money to be repaid. Since petitioner has not repaid the amount, defacto complainant gave the complaint and on the basis of the complaint, first information report is registered. Thus, he prays for dismissal of this petition.

4. In the nature of the allegations made in the first information report against the petitioner, it appears that, there is a business dealing between the defacto complainant and petitioner. If there is disagreement with regard to the terms of the agreement, it is for the defacto complainant to approach the competent Court for appropriate remedy.

5. In view of the aforesaid reasons, this Court is of the view that, custodial interrogation of the petitioner is not necessary and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen order copy made ready, before **the learned Judicial Magistrate-II, days from the date on which the**



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Alandur, 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 as and when required for further 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.

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[e] 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].

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

13.07.2023

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