



Crl.O.P.No.18346 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406, 420 and 506(i) r/w 120(B) IPC in Crime No.25 of 2023, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the petitioner has been arrayed as A4 in this case. She is the wife of A2. He also stated that the FIR had been registered on complaint that the first and second accused, who are the CEO and Director of the company had received a sum of Rs.37,81,636/- (Rupees Thirty Seven Lakhs Eighty One Thousand Six Hundred and Thirty Six Only) from the defacto complainant and also substantial amounts from 29 other investors.

3. The learned counsel for the petitioner stated that the petitioner is innocent of all the transactions of A1 and A2 and he further stated that the A2 had been granted bail by the Trial Judge in an order



Crl.O.P.No.18346 of 2023

WEB COPY

dated 22.08.2023 in Crl.MP.No.4611 of 2023. No specific condition had been imposed by the Court. The petitioner being a wife of A2 cannot be put on different pedestal.

4. The respondent should take necessary steps to secure A1 and it is quite surprising why A1 had not been secured by the respondent.

5. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions. 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 Judicial Magistrate - VII, Coimbatore**, on condition that the petitioner shall 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:



CrI.O.P.No.18346 of 2023

WEB COPY

[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 appear before the respondent police once a week for a period of four weeks and thereafter, as and when required for the 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 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]**.



CrI.O.P.No.18346 of 2023

WEB COPY

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

02.11.2023

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CrI.O.P.No.18346 of 2023

C.V.KARTHIKEYAN, J.

mkn2/gd

CrI.O.P.No.18346 of 2023

02.11.2023