



CrI.O.P.No.21027 of 2023

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WEB C RMT.TEEKAA RAMAN, J.,

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Sections 406, 408, 420, 464, 468 and 506(i) of IPC in Crime No. 123 of 2015 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with his wife created a false document and thereby cheated the defacto complainant. Hence the complaint.

3. Learned counsel for the petitioner submitted a copy of Memorandum of Compromise in O.S.No.318 of 2014 before the Additional District Court, Chengalpat, wherein A1 and A2 along with the defacto complainant entered into a memo of compromise. Further, there is an order passed by the National Company Law Tribunal in concerned with M/s.Micro Therapeutic Research Labs Private Limited under Section 397/398 of Companies Act and order of compromise is also recorded there. Further, he would submit that the Petitioner is an innocent person and prays for grant of anticipatory bail to the Petitioner.



Crl.O.P.No.21027 of 2023

4.The learned Government Advocate (Crl. Side) for the Respondent vehemently opposed to grant anticipatory bail to the Petitioner.

5.Heard both sides and perused the materials available on record.

6. Taking into consideration the above facts and circumstances of the case and also the submissions made by the learned counsel on either sides, this Court finds that the custodial interrogation may not be required in this case at this stage and hence, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions.

7.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, Tambaram**, on condition that the Petitioner shall execute a separate 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:



Crl.O.P.No.21027 of 2023

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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, every Tuesday and Saturday at 10.30 a.m., for a period of three weeks and thereafter as and when required;

[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]**.

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

**15.09.2023
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Crl.O.P.No.21027 of 2023

RMT.TEEKAA RAMAN, J.,

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Crl.O.P.No.21027 of 2023

15.09.2023