



Crl.O.P.No.24011 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A4 who apprehends arrest at the hands of the respondent police for the offence punishable under Section 408, 420 and 34 of IPC in Crime No.106 of 2023, seeks anticipatory bail.

2.It is stated that the defacto complainant and 1st accused had entered into an agreement to invest in the running of the gym. The defacto complainant is said to have invested a sum of Rs.40 lakhs. The agreement was that the 1st accused should invest a sum of Rs.20,00,000/-, but had invested only Rs.13.5 lakhs. The further allegation is that the 1st accused had taken over the management of the gym.

3.These are issues which will have to be examined during the course of trial. Insofar as the petitioner/A4 is concerned, it is stated that he is the gym instructor. It is also seen that A1 particularly, who had been taken into custody had been granted bail along with A2 and A5.



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4. In view of those facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the 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 – I, Alandur, 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:

[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 daily at 10.30 a.m until further orders.



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

19.10.2023

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