



Crl.O.P.No.24254 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.66 of 2022 registered by the respondent Police for the offences under Sections 408 and 420 IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3.The defacto complainant is the wife of the petitioner. When they were married and at a happy state of mind, they were jointly running a business called “Spartan Pro Gear” dealing with imported helmets and jackets for bikers.

4.The grievance of the defacto complainant is that though the name of the company stood in her name, it was managed by the petitioner and when matrimonial disputes arose between them and they also agreed to undergo the process of mutual divorce, a Memorandum of Understanding had been entered into, with respect to the assets of the Partnership Firm. It is



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WEB COPY further stated that under that guise, a sum of Rs.5/-crores had been transferred by the petitioner to an allied business started by him as a sole Proprietorship firm and stock of goods also been transferred. There is a dispute with regard to, whether the stocks had been purchased by the Partnership Firm. These aspects can be examined during the course of trial.

5.It was directed by the Court that further status report should be filed to determine as to whether the goods that have been imported or purchased by sole Proprietorship Firm or existing stock of the Partnership Firm. But the learned Government Advocate (Crl. Side) stated that investigation had been completed and that a charge sheet would be filed shortly.

6.Taking into consideration of all the factors, anticipatory bail is granted 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**



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Magistrate No.1, 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 everyday at 10.00 a.m., for a period of two weeks and thereafter, as and when required for 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



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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;

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