



Crl.O.P.No.24825 of 2023
and Crl.MP.No.17819 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1 in Crime No.376 of 2022, registered under Sections 406, 418, 420 and 506(i) IPC, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.It is stated that the petitioner herein and another individual Selvaraj, were said to have run a firm under the name of Honeyvets Pharma at Salem. However, it is the contention of the learned counsel for the petitioner that it was a sole proprietorship Firm. It is stated that the petitioner and the deceased Selvaraj were partners in yet another business. The de facto complainant, had invested a sum of Rs.14,00,000/- in the said pharmaceutical Firm. For return of that amount, two cheques were issued. One for around Rs.5,00,000/- and the other for around Rs.9,00,000/-. In the meanwhile, Selvaraj also died. There is also a prosecution pending for with respect to the return of the cheques by the bank. Taking all these factors into consideration, anticipatory bail is granted, directing the petitioner/A1 to deposit a sum of Rs.2,00,000/- to the credit of Crime No.376 of 2022, pending before the Judicial Magistrate, No.VI, Salem. On deposit of such amount, the learned Judicial Magistrate No.VI, Salem may deposit it in a fixed



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deposit earning interest and pass final orders on conclusion of trial.

4. Accordingly, the petitioner/A1 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 No.VI, Salem** 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/A1 shall deposit **a sum of Rs.2,00,000/- to the credit of Crime No.376 of 2022**, pending before the Judicial Magistrate, No.VI, Salem. On deposit of such amount, the learned **Judicial Magistrate No.VI, Salem may deposited in a fixed deposit earning interest** and pass final orders on conclusion of trial.

[c] the petitioner/A1 to appear before the respondent police **every day at 10.30 a.m, for a period of three weeks** and thereafter as and when required for interrogation.



[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 petitioners 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];**

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

Consequently, intervening application is closed.

28.11.2023

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