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Crl.O.P.No.32040 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 465, 467, 468, 471, 408, 420, 477-A, 120B of IPC in Crime No.15 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was running Yamaha show room in Vellore in name “Vedha Motorcrop” were this petitioner and three other accused were working in his Katpadi showroom branch. During the course of employment, they has manipulated the accounts and cheated money to a total tune of Rs.69,53,249/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, he further submits that the petitioner, without prejudice to his rights, is ready to abide any condition



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imposed by this Honourable court. He also submitted that the petitioner is ready to deposit a title deed of his mother-in-law to show his bonafide.

Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted the defacto complainant was running Yamaha show room in Vellore in name “Vedha Motorcrop” were this petitioner and three other accused were working in his Katpadi showroom branch. During the course of employment they has manipulated the accounts and cheated money to a total tune of Rs.69,53,249/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner agreed to deposit title deed of his mother-in-law to show his bonafide and investigation is almost completed this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **learned Judicial Magistrate Katpadi, Vellore District** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety should be blood surety) 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 is directed to appear before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of three months.

[c] the petitioner directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.15 of 2022 without prejudice to his rights within a



period of two weeks from the date of receipt of copy of the order and produce the receipt before the concerned Magistrate and on such deposit the defacto complainant is permitted to withdraw the above said amount by filing an undertaking affidavit. Further the petitioner to show his bonafide, is directed to deposit a title deed of his mother-in-law as agreed by him, without prejudice to his rights before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order and shall file an undertaking affidavit that she will not create any encumbrance over the property.

[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**



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of Kerala [(2005)AIR SCW 5560]

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

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