



Crl.O.P.No.27824 of 2023

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C.V.KARTHIKEYAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 477A, 406, 420, 506(i), 380 of IPC in Crime No. 1285 of 2019, seek anticipatory bail.

2. It is stated that all the petitioners were partners and doing business together. The husband of the defacto complainant was also one of the partners. Unfortunately, he died. Thereafter, they had also induced the defacto complainant into the partnership business. In the year 2019, a complaint had been lodged that the petitioners herein had acted to the disadvantage of the defacto complainant and had also broken open a locker and taken away documents worth about several lakhs. Now four years down the line, at this stage, it is not known as to what is the stage of the business which was run by the petitioners and the defacto complainant.

3. It is further stated that originally they had inducted the defacto complainant as a partner to their business and in so far as the break open of the locker, in the First Information Report it had been mentioned some articles had been taken.

4. The learned counsel for the petitioners contended that a suit in O.S.No. 73 of 2020 is also pending before the District Court at Kancheepuram.



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5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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, Sriperumbudur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners 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 petitioners 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]**.

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

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