



Crl.O.P.No.921 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.43 of 2023 registered by the respondent Police for the offence under Sections 409,420 and 120(B) of I.P.C.

2.It is the case of the defacto complainant that the defacto complainant had advanced a sum of Rs.1,67,19,764/- to A1 for supply of iron and steel products.

3. It is stated that neither was the money returned nor goods supplied. In the counter affidavit filed, it had been stated that to avoid the investigating agency, A3 had lodged a complaint before the Madipakkam Police station that from 04.04.2023 onward A1 was missing. A case was registered in Crime No. 149 of 2023 as ' Man Missing'' and subsequently, it had also been stated that A1 had filed I.P.No.300 of 2023 before the First Additional Special Court at Coimbatore. Since A1 had surfaced, Crime No.149 of 2023 was closed. It is seen that lodging of that particular complaint show complicity between A1 and A3.

4. It is also stated that using the same modus opeandi, a complaint had been received from 11 other complaints and the total amount involved is



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Rs.4,53,84,547/- quite apart from Rs.1,67,965/- as advanced by the complainant in this particular case.

5. Earlier application seeking anticipatory bail has been dismissed on 12.12.2023 in Crl.O.P.Nos.25943 of 2023 and 26198 of 2023.

6. Taking into consideration of all the facts and the fact that there is significant change in circumstances , this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 **Judicial Magistrate No.VII, Coimbatore** on condition that the petitioners 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 petitioners and the sureties shall affix



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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 report before the respondent police everyday at 10.30 a.m until further orders.

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

[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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