



Crl.O.P.No.634 of 2024

Crl.O.P.No.634 of 2024

C.V.KARTHIKEYAN, J.

WEB COPY

The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b),420,506(ii) of Indian Penal Code and Section 4 of Prohibition of Harassment of Women Act, 2002 in Crime No. 5 of 2024, seek anticipatory bail.

2. It is the case of the defacto complainant that he is already running a spa and wanted to start another spa business. For this purpose it is stated that a sum of Rs.18,50,515/- had been handed over to A1 to organise to open a Spa and to get licence. However, A1 had obtained license in the name of one stranger, Arun Kumar. The defacto complainant had thereafter tried to get return back the money paid. It is stated that the petitioners had threatened the defacto complainant over phone and assaulted him.

3. Taking into consideration the limited overt act as against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, the petitioners are 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.II, Ponneri, on condition that the petitioner shall execute a separate 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



CrI.O.P.No.634 of 2024

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 report before the respondent police everyday at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation.

[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 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]**.

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

01.02.2024

1/2

smn



WEB COPY



CrI.O.P.No.634 of 2024

C.V.KARTHIKEYAN, J.

smn

CrI.O.P.No.634 of 2024

01.02.2024

1/2