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Crl.O.P.No.4849 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner / A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 420, 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.5 of 2024, seeks 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 organize 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 accused had threatened the defacto complainant over phone and assaulted him.

3.It is stated that this Court had granted anticipatory bail to A3



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and A4 in Crl.O.P.No.634 of 2024 by an order dated 01.02.2024 and the investigation has been proceeded to substantial extent.

4.Taking that factor into consideration, I am inclined to grant anticipatory bail to the petitioner with certain conditions:

5.Accordingly, the petitioner 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 Judicial Magistrate – II, Ponneri, 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioner 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 petitioner 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.

22.04.2024

smv

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