



Crl.O.P.No.5678 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 419, 408, 420 of IPC in Crime No.135 of 2024, seeks anticipatory bail.

2. The defacto complainant is a Unani Doctor having hospital and it is stated that he would supply medicine through tele caller to patients. It is stated that the medicines have been supplied to the petitioner. The amount paid by them had not been forwarded to the defacto complainant. It is stated that the petitioner has been put on notice about non payment by the defacto complainant on several times.

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

4. 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, Vaniyambadi, Tirupattur District, 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



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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 deposit a sum of Rs.20,000/- to the credit of Cr.No. 135 of 2024 and on such deposit, the learned Judicial Magistrate, Vaniyambadi, Tirupattur District, may handover the amount to the defacto complainant.

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

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



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[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 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]**.

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

5. It is made clear that by this deposit, the petitioner does not admit to any of the allegations. It is also made clear that the defacto complainant can seek further compensation or damages in appropriate manner.

08.03.2024

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