



WEB COPY



CrI.O.P.No.12256 of 2024

CrI.O.P.No.12256 of 2024

C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Section 420 IPC in Crime No.163 of 2023 on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has joined as a Sales Manager in the accused finance company viz., Karaikal Perfect Nidhi Limited, and at the time of joining, his salary was Rs.7,000/- per month. While so, the accused insisted the de-facto complainant to deposit a sum of Rs.1,90,000/- and assured that the de-facto complainant will get a sum of Rs.7,000/- per month for his deposit. Believing the same, the de-facto complainant deposited a sum of Rs.1,90,000/- in the aforesaid company. However, the accused has paid Rs.7,000/- for a period of three months, and thereafter, the remaining amount has not yet been paid to the defacto complainant. Hence, the case.



CrI.O.P.No.12256 of 2024

WEB COPY

3. Mr.Ramachandra Moorthy, learned Additional Public Prosecutor for the respondent appeared through Video Conferencing and confirmed that the petitioner has appeared before the respondent thrice and the petitioner's computer has also been seized for investigation.

4. *Prima facie*, it appears that the petitioner has a civil dispute with the de-facto complainant in respect of money transaction.

5. Considering the same, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 learned Judicial Magistrate Court No.1, Karaikal, 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



CrI.O.P.No.12256 of 2024

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 shall report 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 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.**



CrI.O.P.No.12256 of 2024

State of Kerala [(2005)AIR SCW 5560].

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

24.05.2024

jd

C.SARAVANAN, J.



WEB COPY



Crl.O.P.No.12256 of 2024

jd

Crl.O.P.No.12256 of 2024

24.05.2024