



Crl.O.P. No.14531 of 2024

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P. DHANABAL.J.,

The petitioners apprehend arrest for the alleged offences under Sections 406 of IPC in Crime No.not known of 2024, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the petitioners are doing hotel business and the defacto-complainant has intended to open a shop in partnership with the petitioners and accordingly the defacto-complainant and the petitioners have started businesses. The 1st petitioner and the defacto-complainant have shared the capital for the establishment of the business and thereafter out of the business profit, the 1st petitioner shared a sum of Rs.40,36,088/- as profit to the defacto-complainant. The defacto-complainant with the intend to close down the partnership business at above referred premises, raised the dispute over the business. Hence the case.



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3. The learned counsel for the petitioners would contend that these petitioner have not committed any offences as alleged by the prosecution. This Court has referred the matter to mediation. Now the matter is settled amicably between the parties and they have made the following settlement

"1. The 1st petitioner in Crl.O.P.No.14531 of 2024 has agreed to pay a sum of Rs.1,50,00,000/- (Rupees one Crore Fifty Lakhs) as settlement to the Intervener in the following manner:

i. The 1st payment of sum of Rs.25,00,000/- (Rupees twenty five lakhs) in the 1st week of September 2024.

ii. The 2nd payment of sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs) in the 1st weeks of November 2024.

iii. The final and last payment of sum of Rs.1,00,00,000/- (Rupees one crore) will be at the time of quashing the FIR before the Hon'ble Madras High Court and this payment will be made by the 1st petitioner in Crl.O.P.No.14531 of 2024 on or before 22nd January 2025. "

Hence, he seeks anticipatory bail to the petitioner.

4. The learned Counsel for the intervener would contend that this Court referred the matter to mediation, now the matter is settled amicably between the parties and they agreed to pay sum of Rs.1,50,00,000/- (Rupees one Crore Fifty Lakhs) as settlement to the Intervener/defacto-complainant.



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5. The learned Government Advocate (Criminal Side) would submit that this Court referred the matter to mediation, now the matter is settled amicably between the parties and they agreed to pay sum of Rs.1,50,00,000/- (Rupees one Crore Fifty Lakhs) as settlement to the Intervener/defacto-complainant.

6. Heard both side and perused the materials available on record.

7. Considering the rival submissions on either side, considering the fact that this matter was referred to mediation, now the matter is settled between the parties amicably and they agreed to act upon the terms of settlement and considering other aspects, this court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

8. Accordingly, the petitioners are ordered to be released on anticipatory 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 learned **Special Court to CCB, CBCID, Chennai** on condition that the petitioner shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the



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satisfaction of the learned Magistrate concerned and on further condition

that:

[a] the petitioners shall report before the respondent police daily at 10.00a.m. until further orders;

[b] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioners shall not leave India without the prior permission of the Court.

[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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

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P.DHANABAL,J

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