



Crl.O.P.No.15949 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 464 and 465 of IPC, in Crime No.22 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that already the matter was settled before the Mediation as directed by this Court and a Memorandum of Understanding also executed agreeing to pay the amount on various dates by issuing cheques. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners A2 and A3 along with A1 represented the defacto complainant and obtained loan of Rs.2 crores. As security they mortgaged M/s.Kirabes Flex Board Private Ltd, Company –



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Government Poramboke land without any liability, A2 and A3 who are the partners of the said company have also signed as witnesses. However, it is now submitted that the matter has been settled before the Mediation Centre and hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side and the matter has been settled before the Mediation Centre, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Chengalpattu***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, 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



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Magistrate concerned 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 Court concerned 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 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 has been imposed and the petitioner is 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

12.07.2024

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