

**Crl.O.P.No.16011 of 2024**

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P.DHANABAL, J.

The petitioner apprehend arrest for the alleged offences under Sections 406 and 420 of IPC in Crime No.366 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant has been introduced to the petitioner by one Sadhik and the petitioner was running an construction company. The defacto complainant was engaged as a sub contractor for installation of petrol bunks and both entered into an agreement. While so, all the works at the sites were completed and the payment for the work order was released. But the deposit amount was not being paid as the petitioner's father was not available. Eventually, the petitioner shouted at the defacto complainant and hence, the defacto complainant has lodged a case at D-1 Fairland Police Station.

3. The learned counsel appearing for the petitioner submits that petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case and further stated that the matter has



already been settled before the mediation and he prayed to grant anticipatory bail to the petitioner.

4. When this matter was taken up for hearing, it is stated that the matter was settled between the parties through mediations.

5. The learned counsel for the defacto complainant along with the petitioner have jointly represented that this matter has been amicably settled between the parties and the defacto complainant has no objection to grant Anticipatory Bail to the petitioner and produced the copies of the settlement arrived at between them. Recording the same and considering that the matter has been compromised and considering the nature of offences involved in this case, 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 (15) days from the date of receipt of a copy of this order before the *learned District Munsiff cum Judicial Magistrate, Madhavaram* 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 and on further condition that:

[a] the petitioner shall report **before the respondent police at the first day of every english calendar month at 10.30 a.m for three months.**

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

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

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

16.08.2024

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