



Crl.O.P.No.22780 of 2024

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WEB C **P.DHANABAL, J.**

The petitioners apprehend arrest for the alleged offences under Section 406, 420 of I.P.C. in Crime No.251 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a car washing business for the past 7 years and he also undertakes car washing and policy related work for various show rooms on contract basis. The defacto complainant did car washing and policy servicing for the company namely “Varsha Auto Agency” for the past 4 years. While so, the said “Varsha Auto Agency” has stopped payment for one year which amounts to Rs.33,89,872/-. When the defacto complainant approached the 1st petitioner who is the Manager, have declined the request of the defacto complainant. When the defacto complainant tried to contact the 2nd petitioner who is the owner, he also refused to attend the call. From 02.05.2024 onwards the petitioners said to have given sub contract to one another person to undertake the washing work in their showroom and thereby they refused to clear the outstanding amount to the defacto complainant. Hence, the complaint.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the defacto complainant did car washing and policy servicing business for the company namely “Varsha Auto Agency” for the past 4 years. While so, the said Varsha Auto Agency has stopped the payment for one year which amounts to Rs.33,89,872/-. When the defacto complainant approached the petitioners, they declined the request of the defacto complainant. Later, the petitioners have given sub contract to one another person to undertake the washing work in their showroom and thereby they refused to clear the outstanding amount of the defacto complainant and he further submitted that there is no previous case pending against the petitioners. However, he opposed to grant



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Anticipatory bail to the petitioners.

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5. Considering the representations made by both sides and considering the nature of offences charged against the petitioners and also considering the fact that there is a business transactions pending between the petitioners and the defacto complainant and also Civil proceedings are also initiated before the Commercial Court and considering that there is no previous case pending as against the petitioners, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate No. I, Coimbatore*** on condition that the petitioners 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:



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[a] the petitioners shall report **before the Respondent Police on everyday at 10.00 a.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 of the Court or to any police officer.

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

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

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

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