



CrI.O.P.No.27680 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A9 seeks anticipatory bail in Crime No.55 of 2023 registered by the Respondent Police for the offences under Sections 120(b), 204, 408, 409, 420, 477A read with 109 IPC.

2. The case of the prosecution is that the defacto complainant is running a business as manufacturer of paper and selling them in wholesale. It is stated that the Accused A1 is the Sales Manager and the Accused A2 and A3 are the parents of the Accused A1. The Accused A4, A5 and A6 are the friends of the Accused A1. The Accused A7, A8, A9, A10 and A11 are the purchasers of paper from the Accused A1 on the belief that, as a Sales Manager that he has a right to sell the products from the company of the defacto complainant.

3. Insofar as this Petitioner/A9 is concerned, it is the case of the prosecution that the Accused A1 had sold the paper worth about a sum of Rs.29,94,000/- (Rupees Twenty Nine Lakhs and Ninety Four Thousand only) to this Petitioner. The learned counsel for the Petitioner however stated that



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the Petitioner is the bonafide purchaser from the Sales Manager who had been appointed by the defacto complainant and who has the right to sell the paper. It is stated that the Petitioner and Accused A1 had sold the paper on discount. It is also stated in the petition that however the Petitioner is prepared to deposit a sum of Rs.16,64,080/- (Rupees Sixteen Lakhs and Sixty Four Thousand and Eighty only), which is the balance amount payable to the credit of Crime Number.

4. Taking into consideration that the factor which expresses bonafide on the part of the Petitioner herein to participate in the investigation process, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.16,64,080/- (Rupees Sixteen Lakhs and Sixty Four Thousand and Eighty only) to the credit of Crime No.55 of 2023 before the learned Judicial Magistrate No.7, Coimbatore on or before 02.02.2024, on such deposit, the learned Judicial Magistrate No.7, Coimbatore may transfer the said amount to the interest earning Fixed Deposit account and pass final orders at the time of conclusion of the trial. Since the Petitioner has come forward to deposit the amount, the current account of the**



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Petitioner in A/c. No.000584600004432 at YES Bank, Nungambakkam, Chennai – 600 034, which had been frozen by preventing the Petitioner from making any operation on the same shall be defreezed by the Respondent on or before 19.01.2024. Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate No – 7, Coimbatore**, 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, 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 deposit a sum of Rs.16,64,080/- (Rupees Sixteen Lakhs and Sixty Four Thousand and Eighty only) to the credit of Crime No.55 of 2023 before the learned Judicial Magistrate No.7, Coimbatore on or before 02.02.2024,



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on such deposit, the learned Judicial Magistrate No.7, Coimbatore may transfer the said amount to the interest earning Fixed Deposit account and pass final orders at the time of conclusion of the trial. Since the Petitioner has come forward to deposit the amount, the current account of the Petitioner in A/c. No.000584600004432 at YES Bank, Nungambakkam, Chennai – 600 034, which had been frozen by preventing the Petitioner from making any operation on the same shall be defreezed by the Respondent on or before 19.01.2024.

[c] the petitioner shall report before the Respondent Police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for the interrogation.

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

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

[f] 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



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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]**.

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

05.01.2024

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