



Crl.O.P.No.30461 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.493 of 2024 registered for the offences punishable under Sections 316(2) and 318(4) of BNS, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, the petitioner is a proprietorship concern, involved in the manufacturing and supply of Moulds and components, which is suitable for the Drones, for which, he was running a company named M.K.Tech. While so, the defacto complainant requires Agriculture Drone, for the purpose of using it in agriculture, for which, he paid Rs.48,44,457/- to the petitioner. The petitioner neither manufactured the products nor returned the money received from the defacto complainant. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that a case of civil nature has been projected as a case of cheating. He would submit that, the petitioner has been illegally taken in to the custody of the respondent police and the respondent police has by force had recovered an



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amount of Rs.22 lakhs from the petitioner's sister. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, would submit that, the the petitioner induced the defacto complainant and received a sum of Rs.45 Lakhs for designing Drones. Later, the petitioner neither designed nor returned the money, thereby, cheated the defacto complainant.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.III, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



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dismissed and on further condition that:

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[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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police as and when required for interrogation, on issuance of notice;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 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]**;

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

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