

Crl.O.P.No.4011 of 2016**K.KALYANASUNDARAM, J.**

The petitioner, who is sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 406, 420 and 506(i) IPC on the file of the respondent police, in Crime No. 74 of 2016 and seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioner/accused are doing Soda business and the accused, without knowledge and consent of the defacto complainant, has taken away the machineries and also caused loss of Rs.2,50,000/- to the defacto complainant.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that due to misunderstanding arose between them, a false complaint has been lodged against the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner took the machinery, but he did not return the same to the defacto complaint and the petitioner has to pay Rs.2,50,000/- to the defacto complainant.

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5. Considering the facts and circumstances of the case and also considering the nature of the allegation made against the petitioner, 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 before the learned Judicial Magistrate No.I, Thiruvallur and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

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16.03.2016

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