



Crl.O.P.No.15580 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 506(ii) of IPC in Crime No. 1000 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a Aarudhra Dance School at Chidambaram. In the month of February, 2019, there was Nattiyanchali Function in Natarajar Temple, the accused/petitioner also came to that function and introduced himself, and asked about the defacto complainant dance school, she replied that she is running the school at her house. The petitioner informed the defacto complainant that he proposed to buy a house at Chidambaram and put up a office to conduct dance classes. He further informed her that the house will be given for rent and asked a sum of Rs.5,00,000/- as advance. The defacto complainant sent a sum of Rs.2,00,000/- to his account. After getting the advance amount, the petitioner refused to rent out the house. When she demanded for return of the advance amount, the petitioner threatened her with dire consequences. Hence, the complaint.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Even according to the prosecution, after payment of advance amount of Rs.2,00,000/-, the petitioner refused to rent out the house.

5. Considering the above facts and circumstances of the case, the custodial interrogation of the petitioner does not require 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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Chidambaram, Cuddalore District, on condition that the petitioner shall execute a bond for a sum of



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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 report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[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]**.



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

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