



CrI.O.P.No.19286 of 2022

WEB COPY

CrI.O.P.No.19286 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 of IPC in Crime No.84 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant have been providing employee staff transport service to the petitioner's company, from June 2020 till November 2020. As of date there is an outstanding of Rs.7,01,569/-. Towards the outstanding amount, they had issued three cheques and the same was returned as 'insufficient funds'. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case and she is nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Even according to the prosecution, the petitioner availed service from the defacto complainant of employee staff transport services to the tune of Rs.7,01,569/-. Thereafter, they failed to pay the said amount.



CrI.O.P.No.19286 of 2022

Sofar as the petitioner is concerned, she is arrayed as 2nd accused and she is a friend of the 1st accused. However, it is only the business transaction.

5. Considering the above fact and circumstances of the 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 her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned IX Metropolitan Magistrate, Chennai, 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 report before the respondent police daily at



Crl.O.P.No.19286 of 2022

10.30 a.m. for a period of two 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]**.

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

16.08.2022

Lpp

G.K.ILANTHIRAIYAN, J.

Lpp



WEB COPY



Crl.O.P.No.19286 of 2022

Crl.O.P.No.19286 of 2022

16.08.2022