



Crl.O.P.No.24246 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 323, 147, 341, 324, 384 and 506(ii) of IPC in Crime No.279 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Vendamani who is a Doctor is that she along with her husband had made the accused to invest Rs.46 lakhs in IFS Company and later, on account of pending EOW case on the company, the defacto complainant had asked the accused to take back the amount of Rs.23 lakhs. While so, on 19.08.2022, the accused along with his henchmen has come to the clinic of the defacto complainant and had assaulted her with wooden log and also taken away her thali, gold chain, the chains worn by her husband and also taken away the laptop and mobile phone. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given



against him. He would further submit that the defacto complainant has induced the petitioner to invest Rs.46 lakhs in IFS Company and based on the inducement made by the defacto complainant, the petitioner had invested Rs.46 lakhs. Thereafter, the defacto complainant and her husband had cheated the petitioner. When he had gone to the clinic of the defacto complainant asking for the money, there was a quarrel and only in order to evade payment and escape from the clutches of law, the defacto complainant has given a false complaint as if the petitioner had assaulted her and robbed the jewels and other articles from the clinic. He would further submit that no such incident has happened and an exaggerated complaint has been given against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant and her husband are doctors. On the inducement of the defacto complainant, the petitioner had invested Rs.46 lakhs in IFS Company and now the Company has cheated its customers and there was a quarrel. He would further submit that during the course of investigation, the respondent also verified the available CCTV footages



of the clinic and other than there being a quarrel there is no material to show that the articles were taken away from the clinic. However, he opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel appearing for the intervener would submit that the accused along with the henchmen came to the clinic of the defacto complainant and assaulted her and had taken away gold chains belonging to her and her husband and also laptop and mobile phones. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the the CCTV footage has been verified, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned**



Metropolitan Magistrate No.V, Egmore, Chennai on condition that the petitioner shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 twice daily at 10.30 a.m and 5.30 p.m., until further orders.

[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



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CrI.O.P.No.24246 of 2022

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.

19.10.2022

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