



Crl.O.P.No.24504 of 2022

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SATHI KUMAR SUKUMARA KURUP., J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) of IPC in Crime No.297 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that one Venkateshvaralu lodged a complaint against the Petitioner herein stating that he had purchased a land in the year 2004 through the Petitioner who was a village Panchayat President and sold the same land to some other persons and agreed to give two lakhs and gave a cheque for the same but failed to honor the same. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and that he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner sold the land to some other person and agreed to give two lakhs and gave the cheque but failed to honor the same.



CrI.O.P.No.24504 of 2022

Therefore, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the Petitioner, this Court is inclined to grant anticipatory bail to the Petitioner subject to the following condition.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only)** to the credit of Crime No.297 of 2022 at the time of executing sureties and the learned Magistrate shall redeposit the same in interest bearing deposit, and on such deposit, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate I, Chengalpattu and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond. The Police Officer who intends to arrest or the learned Judicial Magistrate



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CrI.O.P.No.24504 of 2022

before whom the petitioner surrender and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) the petitioner shall report before the Respondent Police daily at 10.00 a.m., until further orders;

(c) the petitioner shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted



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CrI.O.P.No.24504 of 2022

by the learned Judicial Magistrate/Trial Judge
himself/herself as laid down by the Hon'ble Supreme Court
in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***;
and;

(g) if the Accused thereafter absconds, a fresh FIR can
be registered under Section 229-A IPC.

06.10.2022

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Crl.O.P.No.24504 of 2022

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