



Crl.M.P.No.15709 of 2022 in Crl.O.P.No.10607 of 2022

Crl.M.P.No.15709 of 2022

in

Crl.O.P.No.10607 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

This petition has been filed to cancel the anticipatory bail granted to the first respondent herein in Crl.O.P.No.10607 of 2022 dated 12.08.2022, in Crime No.54 of 2022, registered for the offences under Sections 406 and 420 of IPC.

2. Heard both sides.

3. This Court granted anticipatory bail to the first respondent herein in Crl.O.P.No.10607 of 2022 dated 12.08.2022, with the following conditions,

“8. Accordingly, the petitioner is directed to pay a sum of Rs.2,50,00,000/- (Rupees Two Crores and Fifty Lakhs only) directly to the defacto complainant / intervenor by way of demand draft within a period of four weeks from the date on which the order copy made ready, and on such payment the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate Court-I, Tambaram 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 automatically 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 pay a sum of Rs.2,50,00,000/- (Rupees Two Crores and Fifty Lakhs only) directly to the defacto complainant / intervenor by way of demand draft within a period of four weeks from the date on which the order copy made ready.

[c] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

*[f] 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]**.*

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC."

4. This Court granted four weeks time to deposit the said amount and to execute the sureties. Even till today, the first respondent herein did not comply any conditions as imposed by this Court and also failed to execute the sureties before the concerned jurisdictional Court. This Court, while granting anticipatory bail to the first respondent herein made clear that the conditions imposed by this Court shall be complied, within a period of four weeks from the date on which the order copy made ready. Failing which, the anticipatory bail granted to the first respondent herein shall stand automatically dismissed.

5. The learned counsel for the petitioner would submit that without



Crl.M.P.No.15709 of 2022 in Crl.O.P.No.10607 of 2022

complying with the order passed by this Court, the first respondent has approached the Hon'ble Supreme Court India, challenging the order passed by this Court. He further submitted that, even till today, the first respondent has not obtained any interim order from the Hon'ble Supreme Court of India.

6. Therefore, it is made clear that the anticipatory bail granted by this Court to the first respondent herein, in Crl.O.P.No.10607 of 2022 dated 12.08.2022, shall stand automatically dismissed, in view of the non compliance of the conditions imposed by this Court.

7. In view of the above, this Criminal Miscellaneous Petition stands disposed of.

18.10.2022

mn



WEB COPY



Crl.M.P.No.15709 of 2022 in Crl.O.P.No.10607 of 2022

G.K.ILANTHIRAIYAN, J.

mn

Crl.M.P.No.15709 of 2022
in
Crl.O.P.No.10607 of 2022

18.10.2022