



Crl.O.P.No.29718 of 2022

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**T.V.THAMILSELVI,J.**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408, 420, 465, 468, 471 r/w 120(B) of IPC @ 408, 420, 465, 468, 471, 411 r/w 120(B) of IPC in Crime No.223 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that A1 and A2 were working in the defacto complainant's company. While so, they have stolen some mobiles and other items and sold the same to other persons through the petitioner, who is the agent of A1 and A3. Hence, the complaint.

3.The learned counsel for the petitioner would submit that a false case has been registered against the petitioner based on the confession statement of the arrested accused. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) would submit that the petitioner has purchased a cellphone from A4. He would also submit that cellphones worth about Rs.2,00,00,000/- is involved in this case and till now, only one cellphone has been recovered, which is the cellphone of petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned Government Advocate (Crl.Side), 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 made ready, before the **learned Metropolitan Magistrate, Special Court for Exclusively trial of CCB cases (relating to Cheating case in Chennai) and CBCID Metro Cases, Egmore, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties



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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 eight weeks;**

[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.

**23.12.2022**

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