



Crl.O.P.No.30477 of 2022

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 153A (1) (b), 504, 505(1) (c), 506(i) of IPC and Section 67 of IT Act 2000 and 34 of IPC in Crime No.188 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a payment dispute between the petitioners and the defacto complainant with regard loading of goods to a sum of Rs.4,80,823/-. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. The petitioners have been cheated by the defacto complainant's concern to the tune of Rs.4,80,823/-. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is a payment dispute between the petitioners and the defacto complainant. He further submitted that the case is under investigation and there is a possibility of tampering the witnesses. Hence he opposed for grant of anticipatory bail to the



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petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned IX Metropolitan Judge, Saidapet, Chennai on condition that the petitioners shall execute a separate separate 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:

[b] the petitioners 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.

[c] the petitioners are directed to report before the respondent police **daily at 5.30 p.m. for a period of two months and thereafter on every Saturday at 10:30 a.m for a period of two months and thereafter as and when required for interrogation.**

[d] the petitioners shall not tamper with evidence or witness



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either during investigation or trial.

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

[f] the petitioners shall not communicate with the defacto complainant either through phone, social media and also shall not propaganda or form a group in front of the residence of the defacto complainant.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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

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