



Crl.O.P.No.30987 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 Section 420 of IPC, in Crime No.731 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had stolen the vehicle of the defacto complainant bearing Registration No.KA 01 MV 2311. Hence, the complaint.

3.The learned counsel for the petitioner would submit that on 23.12.2021, the defacto complainant has entered into a vehicle sales agreement with one Mohammed Abdul Khadir and he had also given a cheque for a sum of Rs.5,00,000/- as a down payment to the defacto complainant. He would further submit that the petitioner has not cheated the defacto complainant and he has been falsely implicated in this case. 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 there was a vehicle sales agreement between the defacto complainant and one Mohammed Abdul Khadir. However, the petitioner has bought the defacto complainant's vehicle from a third party. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard both sides and perused the materials. Taking into consideration the facts and circumstances of the case and also considering the fact that there was a vehicle sales agreement between the defacto complainant and one Mohammed Abdul Khadir, 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 XI Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



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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 on every Wednesday at 10.30 a.m. for a period of eight (8) weeks and he shall co-operate with the investigation;

[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;



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[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]**;

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

23.12.2022

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