



Crl.O.P.No.209 of 2023

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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 418, 424, 420 of IPC in Crime No.321 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant borrowed a loan to the tune of Rs.19,00,000/- from the petitioner as hand loan by depositing his land document as a surety. Thereafter the defacto complainant paid the balance amount to the petitioner but the petitioner failed to return the documents and demanded more money from him. Hence the complaint.

3. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side).

4. As per submission of the learned counsel for the petitioner, it is seen that there was a civil dispute between the parties.



5. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner with the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.IV, Salem**, on condition that the petitioner shall execute a 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:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall cooperate with the



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investigating officer and report before the respondent police as and when required for interrogation;

(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]***; and;

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

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