



Crl.O.P.No.687 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 465, 468 and 471 and 420 of IPC in Cr.No.778 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is having a saving bank account with the defacto complainant's bank branch at Velappanchavadi and on 29.09.2022, the petitioner had taken a demand draft from the Kattupakkam Branch for a sum of Rs.100/- in favour of one Kelvin Shrivastava payable at Navarangpura Ahamebad by tendering his cheque but the words and figures of the said demand draft was fraudulently altered to Rs.10,00,000/-(Rupees Ten Lakhs only) and the same was presented for collection at Mumbai Branch of the State Bank of India by some unkown persons. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is working as a freelance accountant for various companies and



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he is having the saving bank account with the complainant's bank and at the request of his one relative, he got a demand draft for the complainant branch and the relative told the petitioner that the said demand draft is required for his office transaction. Due to which the petitioner has summoned by the respondent police for enquiry. He further submitted that the petitioner has not committed any offence as alleged by the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner is the sole accused. He further submitted that there is no previous case pending as against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate**



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Court No.II, Poonamalle condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, with two sureties **out of which one surety must be a blood related surety** 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 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 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;

(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 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]***; and;

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

12.01.2023



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