



Cr.O.P.No.2192 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 506(i) of IPC in Crime No.77 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there are totally three accused in this case in which, the petitioner herein is arrayed as 3rd accused. He is none other than own brother of A1 and A2. As far as the petitioner is concerned, he acted as a mediator between the owner and A1 and A2. A1 and A2 is used to take the cars from the respective owner for lease thereafter, they mortgage the same with the third parties and availed the loan. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is willing to surrender the car to the respondent. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor for the respondent police would submit that the petitioner is in possession of Innova Crysta car bearing registration No. TN 18 Ak9515. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall surrender the car to the respondent within a period of two weeks from the date of receipt of copy of this order, on such surrender, 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 IX Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioner shall execute a 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



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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 four weeks and thereafter 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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.

06.02.2023

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