



CRL.O.P.No.5206 of 2023

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WEB CO **T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest for the alleged offence under Sections 409, 464, 465, 468, 477A and 420 of IPC in Crime No.700 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant, who is the Risk Manager at Equitas Financial Bank, Thiruvottiyur Branch, Chennai had lodged a complaint stating that the petitioner/A2 along with other accused have appointed for recovery of debt amount from the customers of the bank and they failed to pay the collection of debt amount Rs.7,32,236/-. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



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4.The learned Government Advocate (Crl.Side) submitted that in this case, the investigation is pending and the amount has not yet been recovered. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.700 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruvottiyur, 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 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:



CRL.O.P.No.5206 of 2023

[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 final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[c] the petitioner shall appear before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of three months.

[d] 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 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]**.

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

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CRL.O.P.No.5206 of 2023

T.V.THAMILSELVI,J.

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CRL.O.P.No.5206 of 2023

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