



Crl.O.P.No.6382 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC in Crime No.471 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant C.Muthuvel Durai is that he is working as a Maintenance Co-ordinator in Life Help Centre for the Handicapped, Neelangarai, Chennai. When the de-facto complainant was in his duty on 15.12.2022, all the vehicles of the Centre were in the parking till 6.00 p.m. On the next day i.e., on 16.12.2022 at about 12.00 p.m., the de-facto complainant found that one White Colour Toyota Innova Crysta Car bearing Registration No.TN-07-CM-1177 was missing. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is a film director and has directed



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his first feature film titled “Non-Stop”. He further submitted that one Blaze Kannan, the director of M/s.Life Help Centre for the Handicapped is the producer of the film “Non-Stop” in which, the petitioner had used the Toyota Innova Crysta Car bearing Registration No.TN-07-CM-1177 for travel purpose during the film shooting. He submitted that there was a misunderstanding between the petitioner and the producer of the film with regard to certain payments and there are WhatsApp communications to show that there were disputes between them and that since the producer of the film did not pay the amounts to the petitioner, the petitioner had taken the car as security and an attempt to get attention of Blaze Kannan with regard to payments. The next day, the petitioner had taken the car and parked it at the airport and gone to Hyderabad for dubbing work, whereas, a false complaint has been given by Blaze Kannan, through his staff as if the petitioner has committed theft of car. He further submitted that the petitioner does not have criminal background. He also submitted that the petitioner is ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed on him. Hence, he prays for grant of anticipatory bail to the



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petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner is a film director. Due to misunderstanding between the petitioner and the producer of the film with regard to certain payments, the petitioner is alleged to have stolen the car and the car has now been recovered and handed over to the de-facto complainant. He would oppose for grant of bail.

5. Mr.Venkatesh Mohanraj, representing Mr.G.Paul Einstein, learned counsel for the intervenor/de-facto complainant would oppose the bail stating that it is not a case of simple theft of car and the petitioner had committed theft of car belonging to the Non-Governmental Organization (NGO), which is working for the poor downtrodden handicapped persons. He submitted that the petitioner is a influenced person and if an anticipatory bail is granted to him, he would interfere with the investigation. He further submitted that the de-facto complainant has also filed a transfer petition in Crl.O.P.No.4750 of 2023



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before this Court seeking transfer of investigation. However, he vehemently opposed to grant anticipatory bail to the petitioner.

6. Heard both sides and perused the entire materials available on record including the FIR.

7. Taking into consideration the facts and circumstances of the case, the submissions of either sides and also of the fact that there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 Judicial Magistrate-II, Alandur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.

[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]**.

[f] If the accused thereafter absconds, a fresh FIR



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can be registered under Section 229A IPC.

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