



Crl.O.P.No.10309 of 2023

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S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.257 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner collected Rs.5,00,000/- from the defacto complainant by promising to get job. Subsequently, the petitioner failed to neither arrange the job nor repay the amount, thereby the defacto complainant was cheated by the petitioner. Hence, the case.

3. The learned counsel for the petitioner submits that he received the loan of Rs.5,00,000/- from the defacto complainant and he has been paying interest. The learned counsel for the petitioner further submit that he also undertakes to give immovable property security for the value of Rs.5,00,000/-.

4. In view of the statement made by the learned counsel for the



CrI.O.P.No.10309 of 2023

petitioner and also no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

5. 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 XXIII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute separate bonds 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 Magistrate shall 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



Crl.O.P.No.10309 of 2023

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when required for interrogation.

[c] The petitioner shall deposit title deed of immovable property either in his name or in the name of his blood relatives for the value of Rs.5,00,000/- to the satisfaction of concerned Judicial Magistrate.

[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.

05.05.2023

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Crl.O.P.No.10309 of 2023

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