



Crl.O.P.No.12687 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/second accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 & 420 of IPC in Crime No.109 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had apparently given a hand loan of Rs.39/- lakhs to the first accused. Thereafter, when the first accused was searched, he was found to be in the custody of the present petitioner herein.

3. The learned counsel for the petitioner would submit that the first accused, who is the brother-in-law of the petitioner herein had also been arrested and subsequently released on bail in Crl.M.P.No. 1501 of 2023 by the Principal District and Sessions Judge at Tiruvallur, by an order dated 12.04.2023. It is also seen that the first accused had filed I.P.No. 6 of 2021 which is pending before the Principal District Court at Tiruvallur.

4. In view of these particular facts, since according to the learned counsel for the petitioner, no direct allegations have been raised against the petitioner and also because of the first accused had been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with



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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 Judicial Magistrate, Ambattur, 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:

[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., until further order.

[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.



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[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 can be registered under Section 229A IPC.

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