



Crl.OP.No.12864 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420, 354(c) and 506(i) of IPC in Crime No.1510 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant Pavithra is that the accused had induced her and received a sum of Rs.3,50,000/- as hand loan for running a Beauty Parlour. Later, she did not return the money and when the defacto complainant had requested to pay back a money, the accused had intimidated with her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He further submit that the petitioner and the defacto complainant were running a Beauty Parlour jointly as partners, due to Covid-19 pandemic situation, they suffered loss in the business and now, she has given a false complaint. He would further submit that the case of financial transaction has been attempted to be projected as a case of cheating and thereby, he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent police would submit that the petitioner had cheated the defacto complainant to the tune of Rs.3,50,000/-. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on records including the FIR.

6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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-I, Thiruvallur* 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/trial Court may



obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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[b] **the petitioner shall report before the respondent police every day 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] 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, as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

[f] if the petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

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