



Crl.O.P.No.13566 of 2023

Crl.O.P.No.13566 of 2023

C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 406 of Indian Penal Code in Crime No. 156 of 2023, seek anticipatory bail.

2. The case of the petitioners is that one Jayakumar, who is the owner of the car had alleged that the accused had taken his swift desire car on friendly basis and later cheated him by not returning the car.

3. When the matter came up earlier on 27.06.2023, my learned predecessors has passed the following order:-

“4. Taking into consideration of the submissions made by the learned counsel for the petitioners, the petitioners are directed to hand over the car to the defacto complainant in the presence of the respondent police within one week from the date of receipt of a copy of this order.

5. Post the matter after one week. The respondent police is directed not to take any



WEB COPY



CrI.O.P.No.13566 of 2023

coercive action against the petitioners till then.”

4. It is today represented that the car had been handed over as directed.

5. In view of that fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XXII Metropolitan Magistrate Court, Egmore, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall appear before the respondent police as and when required for interrogation.



CrI.O.P.No.13566 of 2023

WEB COPY

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

04.10.2023

vsg

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.13566 of 2023

Vsg

Crl.O.P.No.13566 of 2023

04.10.2023