



Crl.O.P.No.14837 of 2023

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G..CHANDRA SEKHARAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under **Sections 403, 406 and 420 IPC** in Crime No.167 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that in a civil business transaction, a criminal complaint was given with regard to payment of money in connection with hiring of lorry. Apprehending arrest, this petition is filed seeking anticipatory bail.

3. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the defacto complainant has given a letter dated 12.06.2023 stating that the petitioner had been paying the money in installments and he paid the final installment of Rs.10,75,000/- on 11.06.2023. Therefore, the defacto complainant does not want further action on his complaint.



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4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) and perused the materials available on record.

5. Taking into consideration the facts of the case wherein, it is alleged by the defacto complainant that the accused was liable to pay a sum of Rs.35,50,000/-, in connection with hiring of lorry and now, it is informed by the learned Government Advocate (Crl. Side) that the defacto complainant has received the amount due to him from the petitioner and does not want further action against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



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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 as and when required for interrogation;

[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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