



Crl.O.P.No.19490 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1, who apprehends arrest for the alleged offences punishable under Sections 406 & 420 IPC, in Crime No.272 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) on behalf of the respondent.

3. It is stated that the defacto complainant had borrowed a sum of Rs.90,000/- from the petitioner herein and had pledged his Car bearing registration No.TN 02 AD 6318.

4. The learned counsel for the petitioner states that the petitioner is prepared to hand over the Car, provided the defacto complainant repays the loan amount.

5.This is an issue between two of them and the Court can never come to any conclusion on that aspect. Taking into consideration the facts



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and circumstances of the case, 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 Judicial Magistrate I, Alandur**, 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 morning at 10.00 a.m., until further orders.



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[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] 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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