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Crl.O.P.No.19590 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.49 of 2023 registered by the respondent Police for the offences under Sections 420 IPC, 66C, 66D of IT(A) Act, 2008.

2. It is stated that during the hearing of this petition, the petitioner was directed to appear before the respondent police on receipt of notice under Section 41A Cr.P.C and interim protection was directed on such appearance.

3. Learned counsel for the petitioner states that the petitioner had appeared before the respondent and disclosed all the facts.

4. The case of the petitioner is that the petitioner had only given account details to another accused namely Ajinkya Bhalero, who is absconding but had misused the account of the petitioner. It is further stated that the petitioner is completely innocent of the offences alleged.

5. But in the counter affidavit filed by T.Vinoth Kumar, the



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Inspector of Police, Central Crime Branch, Cyber Crime Police Station,
Vepery, Chennai, it is stated as follows,

"In this regard, we have already enquired the petitioner/accused. Hence his custody is not needed for police protection."

6. In view of the fact that the Inspector of Police appears to have taken a very advantageous step insofar as the petitioner is concerned, this Court is inclined to grant anticipatory bail to the petitioner with a condition to appear before the respondent as and when required and also when the Inspector of Police invites the petitioner to have tea/coffee.

7. The copy of this order may be forwarded to the Commissioner of Police to examine the conduct of the Inspector of Police.

8. 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 **2-Additional Chief Metropolitan Magistrate Court, Egmore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**



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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;

[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**



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[(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC;

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Copy to

**The Commissioner of Police,
Chennai.**

C.V.KARTHIKEYAN, J.

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