



Crl.O.P.No.21453 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.4881 of 2020 registered by the respondent Police for the offence under Sections 420 and 506(ii) IPC.

2. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in a case registered in Crime No.4881 of 2020 registered by the respondent Police for the offences under Sections 420 and 506(ii) IPC. Thus, he seeks anticipatory bail to the petitioner.

3. It is stated by the learned Government Advocate (Crl.Side) submitted that, the petitioner who is the owner of the property at Door No.32/69, Narasayyar Street, Old Washermenpet, Chennai 600 021, had entered into a lease agreement with the defacto complainant. The defacto complainant had also paid a sum of Rs.15,00,000/-. It is alleged that petitioner did not handover the possession and cheques which were issued had also been dishonoured. Thus, he prayed for dismissal of this petition.



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4. It is stated by the learned counsel for the petitioner that a sum of Rs.5,00,000/- had been deposited to the credit of Crime No.4881 of 2020 before the XV Metropolitan Magistrate, George Town, Chennai.

5. In view of the facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. If the defacto complainant files an application on proper identification and acknowledgement for returning the sum of Rs.5,00,000/- which had been deposited to the credit of Crime No.4881 of 2020 before the XV Metropolitan Magistrate, George Town, Chennai. The learned Magistrate may pass orders returning the same to the defacto complainant.

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 XV Metropolitan Magistrate, George Town, Chennai**, 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



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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 at 10.00.a.m., for a period of two weeks and thereafter, as and when required by the respondent police.

[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]**;



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

13.10.2023

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