



Crl.O.P.No.21963 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.653 of 2023 registered by the respondent Police for the offences under Sections 384, 294(b) and 506(i) IPC and Section 4 of TNPHW Act.

2. The learned counsel for the petitioner stated that he has been falsely implicated as an accused in this case. He is innocent. Thus, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal side) states that the defacto complainant had sold a property to the wife of the present petitioner herein. In the complaint, it had been stated that though it had been recorded in the Sale Deed that the sale consideration had been received, the First Information Report had been lodged complainant that the sale consideration had not been paid and therefore, the accused persons had cheated the defacto complainant.



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4. This is an issue which has to be examined during the course of trial. This Court cannot enter into any discussion in that aspect. It is also contended that A3 had been granted anticipatory bail.

5. Taking into consideration the facts and circumstances, 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 District Munsif Cum Judicial Magistrate, Ambattur, 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 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



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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., until further orders. When the petitioner appears, the respondent may also issue notice to the defacto complainant to appear and determine actual issue between the two of them and then file a final report.

[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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