



Crl.O.P.No.22667 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.169 of 2023, registered for an offence under Sections 406 and 420 IPC.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3. It is stated that the petitioners are running a vegetable and fruits shop near the house of the de facto complainant. It is also stated that the accused persons have requested the de facto complainant to lend a sum of Rs.1,00,000/- (Rupees One Lakh Only) and later, the de facto complainant lend a sum of Rs.88,000/- (Rupees Eighty Eight Thousand Only). Thereafter, a further sum of Rs.87,000/- (Rupees Eighty Seven Thousand Only) was borrowed and a further sum of Rs.37,000/- (Rupees Thirty Seven Thousand Only) was borrowed. It is the case of the respondent that the petitioners for the purpose of the business had totally



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received a sum of Rs.6,12,000/- (Rupees Six Lakhs and Twelve Thousand Only) from four different persons. The learned counsel for the petitioners stated that they would deposit together a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.169 of 2023. Taking all these facts into consideration, anticipatory bail is granted to the petitioners.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate – II, Alandur**, on condition that each of 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



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the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners (jointly) shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.169 of 2023, in the trial Court.

[c] the 2nd and 3rd petitioners shall report before the respondent police daily at 10.30 a.m., until further orders and the 1st petitioner shall report before the respondent police once in a week for a period of three weeks.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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

07.11.2023

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