



Crl.O.P.No.23106 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A2 herein seeks anticipatory bail in Crime No.132 of 2023 registered by the respondent Police for the offence under Sections 406, 420 IPC.

2. The learned counsel for the petitioner stated that, he has been falsely implicated as 2nd accused in this case, on the complaint given by the defacto complainant stating that, he had advanced a sum of Rs.30,00,000/- to the A1 on the premise that he is a builder of the property. However, the petitioner was only a worker in the A1 company and he was not either directly or indirectly connected with the borrowal or with any transactions between the A1 and the defacto complainant. Apprehending arrest from the respondent police, he seeks bail to the petitioner.

3. It is also seen from the records that A1, who had been secured had been granted bail by the learned Principal Sessions Judge, Chennai in a Order dated 13.09.2023 in Crl.M.P.No.22979 of 2023.



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4. In view of the particular facts and also the fact that, there is no specific allegations as against this petitioner either in the borrowal or in the transaction, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 XVII Metropolitan Magistrate, 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 surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, 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 [(2005)AIR SCW 5560]**;

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

11.10.2023

gd

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