



Crl.O.P.No.23594 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406, 420 of IPC in Crime No.280 of 2023, seeks anticipatory bail.

2. It is stated that the defacto complainant had filed an application under Section 156(3) of Cr.P.C., and that direction of the V Metropolitan Magistrate, Egmore, First Information Report had been registered.

3. The learned counsel for the petitioner stated that just before the covid period, the petitioner had received a sum of Rs.1,16,000/- for booking flight tickets to the defacto complainant to go abroad. It is stated that thereafter the covid came in and the flights were cancelled. It is further stated that he had returned back a sum of Rs.65,000/- and that a balance alone is due.

4. However, on the side of the respondents stated that a sum of Rs.65,000/- is due and payable.

5. In view of these facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.23594 of 2023

WEB COPY

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 V Metropolitan Magistrate Court-Egmore, 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.

[b] the petitioner should deposit a sum of Rs.30,000/- to the credit of the Cr.No. 280 of 2023. Let the amount remain in deposit and if the petitioner is finally acquitted of all the charges, then the amount may be returned back to him and if he is convicted, the amount may be handed over to the defacto complainant.

[c] 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.



Crl.O.P.No.23594 of 2023

WEB COPY

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

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

[f] 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]**.

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

12.10.2023

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Crl.O.P.No.23594 of 2023

vsg

Crl.O.P.No.23594 of 2023

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