



Crl.O.P.No.24466 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.305 of 2023, registered by the respondent Police for the offence under Sections 379, 468 and 471 of IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent Police.

3.It is stated that the defacto complaint had issued two separate cheques each for Rs.5,00,000/-. One cheque was drawn on Indian Bank and the other on Canara Bank. The cheques were dishonoured. The petitioner had therefore taken recourse to the provisions of the law as provided by filing a complaint under Section 138 of the Negotiable Instruments Act. The present FIR has been registered on the basis of a complaint given by the Defacto complainant stating that the cheques had been stolen. This is an issue which has to be decided only during the hearing of the case.

4. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the



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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 Judicial Magistrate No.VI, Coimbatore**, 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 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



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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.

20.10.2023

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