



Crl.O.P.No.24557 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 Section 379 of IPC in Crime No.324 of 2023, seeks anticipatory bail.

2.The learned counsel for the petitioner stated that the defacto complainant had cheated the petitioner and had obtained a sum of Rs.3,00,000/- promising him to get a Post Graduate seat at one of the colleges at Chennai.

3.On the other hand, it is the case of the prosecution that the petitioner and the defacto complainant were drinking in a bar and the defacto complainant became unconscious and the petitioner had taken away the jewels and cash. It is also stated that a counter complaint had also been given by the petitioner as against the defacto complainant.

4.It would only be appropriate, that all the complaints are enquired by the respondent police.

5.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.



CrI.O.P.No.24557 of 2023

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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 Judicial Magistrate Court, Thirupporur, 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., until further orders.

[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.



CrI.O.P.No.24557 of 2023

[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.

31.10.2023

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CrI.O.P.No.24557 of 2023

C.V.KARTHIKEYAN, J.

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CrI.O.P.No.24557 of 2023

31.10.2023