



Crl.O.P.No.24715 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/second accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 465, 467, 468 and 471 of IPC in Crime No.164 of 2023, seeks anticipatory bail.

2. It is stated that the defacto complainant is the Branch Manager of Karur Vysya Bank Limited., had lodged a complaint with the respondent that the first accused had obtained housing loan for purchase of residential land and among various documents had also produced IT returns which were admittedly forged. The petitioner had stood as guarantor for the said loan. But the loan primarily had been sanctioned on the basis of the document on the collateral security and the income tax certificate is only an additional document signifying solvency of the borrower to repay the loan.

3. In view of that particular facts, the petitioner cannot be said to be directly involved in the forgery of the income tax certificates, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.24715 of 2023

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4. 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 Special Court for CCB & CBCID, Egmore, 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further order.

[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.



Crl.O.P.No.24715 of 2023

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[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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Crl.O.P.No.24715 of 2023

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vsg

Crl.O.P.No.24715 of 2023

31.10.2023