



Crl.OP.No.26337 of 2023

Crl.O.P.No.26337 of 2023

C.V.KARTHIKEYAN, J.

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The petitioner in Crime No.74 of 2023, registered under Sections 294 (b), , 506(i) and 420 IPC, seeks anticipatory bail.

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

3.It is the case of the prosecution is that the de facto complainant had lodged a complainant that he owned a Mahindra Tractor and had given that along with a Tipper to the petitioner on monthly rent. The petitioner had not paid the rent and did not return the vehicle. It is also stated that the petitioner herein is said to have sublet the said Mahindra Tractor and tipper to one Sekar. The said Sekar had given it one Karthikeyan, who mortgaged it with one Ezhilraja. It is stated that the petitioner had paid a sum of Rs.2,00,000/- to get back that Tractor. The learned counsel stated that now the Tractor is with one Muruganantham, Pudhalur Village, Tanjavur District. Taking into consideration the fact that the petitioner had taken some efforts and had filed an affidavit in that regard, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 Judicial Magistrate, Sirkazhi, Mayiladuthurai District**, 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 **to appear before the respondent police every day 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;



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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 petitioners 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;

18.12.2023

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