



Crl.O.P.No.27646 of 2023

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**C.V.KARTHIKEYAN, J.**

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offence punishable under Section 406 and 420 IPC in Crime No.255 of 2023, seeks anticipatory bail.

2. It is stated that the petitioner was team leader in the company of the defacto complainant. The defacto complainant received a complaint that the petitioner had collected a sum of Rs.1,10,000/- from a customer by giving forged documents.

3. The learned counsel for the petitioner stated that he had repaid a sum of Rs.35,000/- but the documents produced do not relate to the transactions with the defacto complainant. The learned counsel however stated that the petitioner is prepared to repay the amount.

4. In view of that particular statement, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 II Metropolitan Magistrate, Egmore, Chennai, on condition that the



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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 is directed to deposit a sum of Rs.1,10,000/- to the credit of Cr.No. 255 of 2023 and on such deposit, the learned II Metropolitan Magistrate, Egmore, Chennai, may hand it over to the defacto complainant on proper identification. The said deposit shall be made on or before 05.01.2024 and no further time will be granted.

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

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



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[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.

**12.12.2023**

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