



Crl.O.P.No.167 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A1 seeks anticipatory bail in Crime No.682 of 2023 registered by the Respondent Police for the offences punishable under Sections 406, 420 and 379 IPC, with reference to an occurrence took place on 22.08.2023.

2. It is stated that the defacto complainant's husband died. He was possessed with a lorry bearing Registration No.TN-18 AY 0931 and he had given it to this Petitioner herein.

3. It is stated by the learned Government Advocate (Criminal Side) that the lorry had now been seized, but the engine number had been changed. It is also stated that the Accused A3 had been arrested and had been granted bail by the Xth Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.54422 of 2023, dated 11.12.2023 and the Accused A2 had been granted anticipatory bail by this Court in Crl.OP.No.28174 of 2023, dated 18.12.2023.



Crl.O.P.No.167 of 2024

WEB COPY

4. It is stated that the total consideration of the lorry was Rs.20,00,000/- (Rupees Twenty Lakhs only) and the defacto complainant had been paid only Rs.2,00,000/- (Rupees Two Lakhs only).

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non-refundable deposit to the credit of Crime No.682 of 2023 before the Xth Metropolitan Magistrate, Egmore, Chennai, on such deposit, the Xth Metropolitan Magistrate, Egmore, Chennai may hand over the said amount to the defacto complainant.** 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 Xth Metropolitan Magistrate Court, Egmore, Chennai -08**, 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



Crl.O.P.No.167 of 2024

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 deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non-refundable deposit to the credit of Crime No.682 of 2023 before the Xth Metropolitan Magistrate, Egmore, Chennai, on such deposit, the Xth Metropolitan Magistrate, Egmore, Chennai may hand over the said amount to the defacto complainant

[c] 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 the interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial.



CrI.O.P.No.167 of 2024

WEB COPY

[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.

09.01.2024

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Crl.O.P.No.167 of 2024

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Crl.O.P.No.167 of 2024

09.01.2024