

Crl.O.P.No.312 of 2024**C.V.KARTHIKEYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of I.P.C., in Crime No.463 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant had purchased FERRARI CAR (2005 model) bearing Registration No.MH 13 AF 0430. It is stated that the petitioner had purchased a car in the year 2021 for a sum of Rs.34 lakhs. After one year the petitioner/accused sold the same Ferrari Car to the de-facto complainant through the car dealers Mr.Neeraj Sharma and Mr.Ganesh Gowda as the car condition was not good. While so, on 05.09.2022, the police visited the de-facto complainant along with one Mr.Arun Venkataraman, who claimed to be the owner of the car and that it was stolen from him, when the car was in a workshop at Bangalore. Later that particular stolen car had been sold to the de-facto complainant. All the complicated facts will have to be determined during the course of trial.



3. The learned counsel for the petitioner stated that the petitioner would deposit a sum of Rs.5 lakhs to express bonafide.

4. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, **petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.463 of 2023, failing which, the anticipatory bail shall stand dismissed**, 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 No.II, Alandur**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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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.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.463 of 2023 within a period of two weeks, failing which, the anticipatory bail shall stand dismissed; On such deposit, the learned Judicial Magistrate No.II, Alandur may hand it over to the de-facto complainant;**

**[c] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

**[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.**

**[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]**.**



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[g] If the accused thereafter abscond, a fresh FIR  
can be registered under Section 229A IPC.

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