

Crl.O.P.No.387 of 2024**C.V.KARTHIKEYAN, J.**

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The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120(b), 409, 468, 471 of IPC in Crime No.299 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 was working under the defacto complainant and A1 had taken away an Innova Car bearing Reg.No.TN-38-CW-007 in favour of the defacto complainant with the help of this petitioner and the first accused had pledged RC of the car and obtained loan of Rs.16,75,000/- from the third accused. Hence, this case.

3. The learned Counsel for the petitioner submitted that the car was given as prize by the defacto complainant to the first accused. A1 had been granted anticipatory bail by the learned Principal District and Sessions Court, Coimbatore in Crl.M.P.No.4717 of 2023 dated 06.10.2023. In the said order, it has been observed that the RC book is in the custody of the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submitted that A1 was working under the defacto complainant and A1 had purchased Innova Car bearing Reg.No.TN-38-CW-007 in favour of the defacto complainant with the help of this



petitioner and the first accused had pledged RC of the car and obtained loan of Rs.16,75,000/- from the third accused, thereby he cheated the defacto complainant. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. 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.

7. 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 No.II, Coimbatore**, on condition that the petitioners shall execute a separate 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.



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[b] 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 interrogation.

[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.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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