



Crl.O.P.No.541 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 seeks anticipatory bail in Crime No.102 of 2022 registered by the Respondent Police for the offences under Sections 406, 420 and 506(ii) IPC r/w Section 4 of TN Prohibition of Harassment of Women Act, 2002.

2. Heard the learned counsel for the Petitioner and the learned Government Advocate (Criminal Side) on behalf of the Respondent.

3. It is stated that notice under Section 41A of Code of Criminal Procedure had been received by the Petitioner herein and the Petitioner had also co-operated during the investigation.

4. The case of the prosecution is that the defacto complainant is the President of Self Help Women Group and had given a sum of Rs.9,00,000/- to the Petitioner herein and since the Petitioner did not return the same, the defacto complainant had lodged a complaint leading to registration of F.I.R.



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5. On the other hand, the learned counsel for the Petitioner stated that the Petitioner had also filed O.S.No.8741 of 2019, which is now pending before the IV Assistant City Civil Court against the defacto complainant, who remained *ex-parte*. It is also stated that the Accused A1 had also been granted anticipatory bail by this Court in CrI.O.P.No.7979 of 2023 by an order dated 07.11.2023.

6. Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. 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 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:



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[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 report before the Respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the 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 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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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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