



WEB COPY



Crl.O.P.No.2132 of 2024

Crl.O.P.No.2132 of 2024

C.V.KARTHIKEYAN, J.

The petitioner / A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(i) of IPC in Crime No.28 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant parted money for business to the 1st accused and inturn the 1st accused had cheated the money and when the defacto complainant sought money, the petitioner herein threatened the defacto complainant with dire consequences, hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against the petitioner. Hence, he seeks anticipatory bail to the petitioner.



Crl.O.P.No.2132 of 2024

WEB COPY

4.The learned Government Advocate (Crl. Side) would submit that the defacto complainant had parted money for business to the petitioner. However, the petitioner had cheated the money. When the defacto complainant requested return of money, the petitioner threatened him with dire consequences. Therefore, he objected to grant anticipatory bail to the petitioner.

5.The earlier petition seeking anticipatory bail was dismissed on 28.12.2023 in Crl.O.P.No.29101 of 2023. After that particular date, A1 had been arrested and had been released on bail. That is a significant change in circumstance.

6.The learned counsel for the petitioner also stated that the main allegation against this petitioner is that, the petitioner had threatened the defacto complainant.

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

8.Accordingly, the petitioner is ordered to be released on bail in



CrI.O.P.No.2132 of 2024

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 – I, Thiruvallur, 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:

[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 everyday at 10.30 a.m., until further orders.

[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.



WEB COPY



CrI.O.P.No.2132 of 2024

C.V.KARTHIKEYAN, J.

smv

[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]**.

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

02.04.2024

smv

CrI.O.P.No.2132 of 2024