



Crl.O.P.No.2266 of 2024

C.V.KARTHIKEYAN,J.

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The petitioner/accused in Crime No.57 of 2022, registered by the respondent police for the offences under Sections 420, 406 and 506(ii) of IPC, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner had purchased a car and had failed to pay the sale consideration. However, it is seen that the particular vehicle namely Maruti Suzuki Swift Desire car bearing Regn.No.TN-20-CQ-2830 was given on rental basis to the petitioner herein and thereafter, the petitioner had taken it for his own use and had refused to return back the car or pay the balance sale consideration.

3.It is now stated that the petitioner is prepared to hand over the car back to the respondent herein.

4.In view of that particular statement, I am inclined to grant anticipatory bail to the petitioner herein subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on anticipatory 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 **District Munsif cum Judicial Magistrate, Gummidipoondi**, on condition that the petitioner shall execute a 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 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., 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 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.

6.The District Munsif cum Judicial Magistrate, Gummidipoondi, can accept the sureties only after ensuring that the aforementioned vehicle, Maruti Suzuki Swift Desire car bearing Regn.No.TN-20-CQ-2830 had been handed over to the respondent/the Inspector of Police, Arambakkam Police Station, Thiruvallur District, with respect to Crime No.57 of 2022.

14.02.2024

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