



CrI.O.P.No.2316 of 2024

CrI.O.P.Nos.2316 and 4566 of 2024

C.V.KARTHIKEYAN, J.

A1 has filed CrI.O.P.No.2316 of 2024 and A2 has filed CrI.O.P.No.4566 of 2024, both in Crime No.1240 of 2023 registered by the respondent Police for the offences punishable under Sections 406 and 420 of IPC.

2. It is the case of the defacto complainant that the defacto complainant had been approached by the first accused to attach his car and car of his mother-in-law to the petitioners who is running a firm called UK Self Drive Cars and had assured an amount of Rs.25,000/- would be paid as monthly rent for each one of the cars.

3. It is the further complaint that no rent had been paid. The cars had not been returned. Further, the accused had also received a sum of Rs.8/- lakhs, promising job in the Government Department. A perusal of the First Information Report reveals that the registration number of the two cars had not been given. The make of the cars had also not given.

4. The learned counsel for the petitioners placed on record an agreement entered into between the first accused and the defacto complainant with respect to six separate cars in which the registration numbers have been



CrI.O.P.No.2316 of 2024

given and it is the case of the learned counsel for the petitioners that these details are not mentioned in the First Information Report and that there is running business transaction between the first accused and the defacto complainant. It is also stated that the second accused is not at all involved in any of these transactions and had been unnecessarily included as an accused by the respondent.

5. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.II, Ponneri, Thiruvallur District**, on condition that the petitioner 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:



CrI.O.P.No.2316 of 2024

[a] the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

28.02.2024

rjr



WEB COPY



Crl.O.P.No.2316 of 2024

C.V.KARTHIKEYAN, J.

rjr

Crl.O.P.Nos.2316 and 4566 of 2024

28.02.2024