



Crl.O.P.No.3727 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A4 in Crime No.228 of 2023, registered by the respondent police for the offences under Sections 406, 420 & 120B of IPC, seeks anticipatory bail.

2.It is stated that the allegation against this petitioner by the defacto complainant is that the defacto complainant had stated that he had lent a sum of Rs.30,00,000/- to this petitioner/A4 who claimed that he is going to form a residential layout and going to sell individual plots for huge profits.

3.It is contended by the defacto complainant that there were money transactions as between the defacto complainant and the present petition/A4.

4.The learned counsel for the petitioner further stated that on the basis of a cheque which had been issued, necessary proceedings under Section 138 of Negotiable Instruments Act will be instituted.



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Though various contentions are raised, disputing the basis on which such complaint had been lodged it would be only appropriate that the entire issues are examined during the course of trial by the learned Judicial Magistrate No.I, Tambaram.

5.In view of the continuous transactions and disputes between the parties, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6.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 Court, Egmore, 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



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condition that:

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[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 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.

[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.

20.03.2024
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