



Crl.O.P.No.6434 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners/A1 and A2 in Crime No.127 of 2024 registered by the respondent police for the offences under Sections 403, 420 and 506(2) IPC, seek anticipatory bail.

2. Both the Petitioners are spouses. The learned Government Advocate (Criminal Side) stated that the Petitioners had taken a Maruti Suzuki Car from the defacto complainant on rental basis and had paid an advance of Rs.3,00,000/- (Rupees Three Lakhs only). It is the further case of the prosecution that the Petitioners had handed the car over to a third party. However, it is now stated that the car had been seized.

3. Taking that one factor into consideration, this Court is inclined to grant anticipatory bail to the Petitioners subject to the following 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 learned Judicial Magistrate – V, Salem**, on condition that the petitioners shall execute a separate bond for a



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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 conditions that :

[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 1st 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 and the 2nd petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m. for a period of three weeks and thereafter, as and when required for the interrogation.

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

[d] the petitioners shall not abscond either during



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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.

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