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Crl.O.P.No.6749 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.519 of 2023 registered by the respondent Police for the offences punishable under Sections 406 & 420 of IPC.

2.It is the case of the prosecution that the petitioner is running a scrap business and had received a sum of Rs.5/- lakhs on 14.02.2020 from the defacto complainant.

3.It is stated that a complaint had been lodged on 19.09.2023 that the petitioner had not repaid the amount. It is also stated that FIR was registered on an application filed under Section 156(3) of Cr.P.C. and direction by the learned X Metropolitan Magistrate, Egmore, Chennai.

4. However, taking all the other factors into consideration that it is an issue of lending of money and borrowal of money and non-repayment of borrowal, this Court is inclined to grant anticipatory bail to the petitioner



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with certain conditions. Accordingly, the petitioner is 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 X Metropolitan Magistrate, 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 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.



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[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 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.

20.03.2024



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