



Crl.O.P.No.7820 of 20243

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C.V.KARTHIKEYAN,J.

The petitioners A1 & A2 seek anticipatory bail in Crime No.472 of 2024, registered by the respondent police for the offences punishable under Sections 420 and 406 of IPC.

2. It is stated that the petitioners who husband and wife, had allegedly borrowed a sum of Rs.26 Lakhs from the defacto complainant. It is stated that the petitioners and the defacto complainant are relatives and it is also contended that more than Rupees one lakh had been repaid and that the defacto complainant should file a suit for recovery of suit proceedings.

3.Taking into consideration all factors and the age of the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioner are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a



Crl.O.P.No.7820 of 20243

period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Alandur** on condition that the petitioners shall execute separate 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 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 weekly once I.e. on Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners are directed to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) jointly to the credit of crime number before the Judicial Magistrate-II, Alandur, at the time of executing the sureties; Upon receipt of such payment, the learned Magistrate shall deposit the said amount in an interest bearing in the Fixed Deposit Account in a Nationalised Bank in the credit of the crime number.



Crl.O.P.No.7820 of 20243

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.03.2024

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C.V.KARTHIKEYAN,J.



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Crl.O.P.No.7820 of 20243

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