



Crl.O.P.No.9325 of 2024

Crl.O.P.No.9325 of 2024

WEB COPY

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 324 and 506(ii) of IPC in Crime No.227 of 2024, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the first petitioner is running a car selling showroom in the name and style of Zero Cars. When the defacto complainant's wife had to undergo surgery, he approached the first petitioner to sell his car for Rs.4,50,000/-. The further allegation is that only a sum of Rs.50,000/- was given to the defacto complainant and for the balance amount, the petitioners issued a cheque, which was returned. It is further alleged that pending enquiry, the petitioners handed over a sum of Rs.1 lakhs by cash and also Ritz car to the defacto complainant. The balance amount of Rs.2,50,000/- has yet to be given. When the defacto complainant went to meet the petitioners for the remaining amount, they are said to have abused and attacked the defacto complainant



Crl.O.P.No.9325 of 2024

due to which, he sustained simple injuries. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that a sum of Rs.50,000/- was already given to the petitioners and due to ulterior motive, they have been falsely implicated in this case. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioners and the defacto complainant for the return of the balance sum of Rs.4,00,000/-, for which, the petitioners repaid a sum of Rs.1,50,000/- and the remaining amount has yet to be given. He further submits that the petitioners has no previous case pending against them. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners, on



CrI.O.P.No.9325 of 2024

instructions, submitted that without prejudice to the rights, the petitioners are prepared to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of crime number and also submitted that the petitioners has no objection in the amount being released in favour of the de-facto complainant.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel that the petitioners without prejudice to their rights are volunteered to deposit a sum of Rs.50,000/- to the credit of the Crime Number, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Ambattur*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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



Crl.O.P.No.9325 of 2024

Magistrate concerned and on further condition that:

(a) the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.227 of 2024 before the learned Judicial Magistrate, Ambattur, within four weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;

[b] 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;

[c] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m. for a period of eight weeks;

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

[e] the petitioners shall not abscond either during



WEB COPY



CrI.O.P.No.9325 of 2024

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.

17.04.2024

drl

T.V.THAMILSELVI,J.



WEB COPY



Crl.O.P.No.9325 of 2024

drl

Crl.O.P.No.9325 of 2024

17.04.2024