



Crl.OP.No.10571 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 406 and 420 of IPC r/w 120(B) of IPC in Crime No.76 of 2024 on the file of the respondent police seek anticipatory bail.

2. The case of prosecution is that the de-facto complainant lent money on the interest basis to one Vijay and the said Vijay did not repay the amount to the de-facto complainant. Further the first petitioner is mere introducer and not a beneficiary to the above said transactions and the second petitioner is wife of the first petitioner. Hence, the complaint.

3. The learned counsel appearing for petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He also submitted that they are ready and willing to deposit a sum of Rs.5 lakhs without prejudice to their rights and they sought time to deposit the amount. Therefore, he prays to grant of



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anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the first petitioner had cheated the de-facto complainant to tune of Rs.89,00,000/-. The second petitioner is the wife of the first petitioner she also involved in the said money transactions. Therefore, he opposed for granting anticipatory bail to the petitioners.

5. On a perusal of the records, it reveals that there was some money dispute between the first petitioner and the de-facto complainant, the first petitioner has involved huge money dispute between them. Therefore, detailed investigation is required and hence, this Court is not inclined to grant anticipatory bail against the first petitioner.

6. Considering the facts and circumstances and the second petitioner is ready and willing to deposit the amount of Rs.5 lakhs without prejudice to her rights, therefore this Court is inclined to grant **interim anticipatory bail** to the second petitioner with certain conditions.



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7. Accordingly, the second petitioner is directed to deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No. 76 of 2024 within two weeks from today** and on such deposit, the second petitioner is ordered to be released on **interim anticipatory bail** on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned X Metropolitan Magistrate, Egmore, Chennai and on further conditions that:

(a) 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 second petitioner shall report before the respondent police as and when required;

(c) the second petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the second petitioner shall not abscond either during investigation or trial;



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(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner is 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. For reporting compliance, post the case on 20.06.2024.

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