



Crl.O.P.No.18422 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 331(4), 305 of BNS Act, in Crime No.166 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if he used the ATM card of the father-in-law of the defacto complainant and cheated money. He further submits that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the house of the defacto complainant was broken and ATM card was missing. Later, it was found that, the ATM card was used and amount was taken. Petitioner has 4 previous cases pending against him. Sofar, no recovery has been made. Hence, he vehemently opposed for the



CrI.O.P.No.18422 of 2024

grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Pallavaram*, 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 Magistrate concerned and on further condition that:

petitioner is directed to deposit a sum of Rs.25,000/- to the credit of Crime No.166 of 2024 before the concerned Magistrate within a period of three weeks from the date of this order and on such deposit, the de-facto complainant/victim is permitted to withdraw the



CrI.O.P.No.18422 of 2024

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same, on filing undertaking affidavit and proper identification and acknowledgment;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

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

[e] the petitioner 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 has been imposed and the 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

01.08.2024

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Crl.O.P.No.18422 of 2024

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gd

Crl.O.P.No.18422 of 2024

01.08.2024