



Crl.OP.No.18813 of 2024

Crl.O.P.No.18813 of 2024

P.DHANABAL, J.

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 of IPC in Crime No.102 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners during the year 2020 have availed a loan to the tune of Rs.15 lakhs for performing the marriage of elder daughter of the petitioners 1 and 2, however, petitioners/accused did not repay the amount. Hence, the complaint.

3. The learned counsel for the petitioners would contend that they are falsely implicated by the respondent police in this case and they have not involved in any such transaction with the defacto complaint as alleged in the complaint. It is also submitted that the defacto complainants have preferred various complaints and FIRs are also filed in Cr.Nos.36 of 2023 in Zam Bazaar Police Station and Cr.No.37 of 2024 in Annasalai Police Station. Hence, seek anticipatory bail.

4.The learned Government Advocate (Crl.Side) contended that the accused persons have availed a loan to an amount of Rs.15 lakhs on account of marriage of their elder daughter and failed to repay the amount



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and the investigation is going on. Hence, opposed this petition.

5. Considering the rival submissions on either side and the fact that there is a money dispute pending between the parties and also FIRs' have been registered based on the complaint by the defacto complainant on the very same issue and the dispute is civil in nature, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are 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 II Metropolitan Magistrate, Egmore, on condition that the petitioners shall execute a separate 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 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



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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 daily at 10:30 am until further orders.

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

[d] the petitioners 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 petitioners 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

14.08.2024

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