



Crl.O.P.No.18960 of 2024

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P.DHANABAL,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of I.P.C in Crime No.286 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that that the defacto complainant pledged his JCB Vehicle and obtained a loan of Rs.2,00,000/- from the petitioner. The petitioner made a promise to the defacto complainant that he will return the vehicle in question when the defacto complainant settle the borrowed amount. The allegation against the petitioner is that he is not interested in returning the vehicle to the defacto complainant and settling the issue. Hence, this petition.

3. The learned counsel for the petitioner would contend that the petitioner is a innocent and a false case has been foisted against them. He would further submit that the petitioner is no way connected with the said occurrence.



Crl.O.P.No.18960 of 2024

4.The learned Government advocate(Crl.Side) would submit that the petitioner is not coming forward to return the defacto complainant's vehicle and he is not interested in receiving the loan amount from the petitioner. He further submitted that there is no previous case as against the petitioner. However, he objected to grant anticipatory bail to the petitioner.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the fact that there is no previous case as against the petitioner and also considering that there is a money dispute pending between the parties and the other aspects, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Uthangarai** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



Crl.O.P.No.18960 of 2024

sureties each for a like sum to the satisfaction of the learned Magistrate

concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

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

14.08.2024

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