



CrI.O.P.No.23190 of 2024

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WEB C **P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Section 420, 406, 323, 352, 506(ii), 120-B IPC in Crime No.306 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Managing Director of Innovative Civil Engineering Solutions Private Limited and the first accused who is the Manager of M/s. Genuine Developers (GD) had approached the defacto complainant on 19.09.2017 and entered into an agreement of construction of house at Mannivakkam, Chennai and subsequently gave power to the defacto complainant for construction of houses and when the construction work started, the defacto complainant asked money as per the agreement, the accused evaded and also persuaded him to obtain loan to continue the construction work. The accused have conspired together, cancelled the power given to the defacto complainant, refused to pay the amount, which the defacto complainant spent for construction and also threatened and cheated him and hence the case.



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3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner and other accused have approached the defacto complainant for constructing flats in their property by entering into an agreement, but the accused have committed default in payment of amount for the constructions and he further submitted that there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and already A1 & A2 were released on bail by the Sessions Court and this Court granted Anticipatory Bail to the A3 and considering specific overt act



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against the petitioner and also considering that no previous case is pending

against the petitioner, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate No. I, Chengalpattu*** on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report **before the Respondent Police daily at 10.30 A.M. until further orders.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.



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[c] the petitioner shall not leave India without the previous permission of the Court.

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

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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