



Crl.O.P.No.24194 of 2024

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

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.304 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the husband of the petitioner had borrowed money from the defacto complainant for his business development and thereafter, not paid the said amount. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case, due to a business transaction. He would further submit the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail.

4.The learned Government advocate(Crl.Side) would submit that



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the husband of the petitioner had borrowed a sum of Rs.8.5 lakhs from the defacto complainant for his business development and thereafter, not paid the said amount. He further submitted that the amount was transferred to the account of the petitioner. He also submitted there is no previous case pending 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 pending against the petitioner and there is a money transaction between the parties, 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 No.I, Tambaram, 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 learned Magistrate



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concerned and on further condition that:

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[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.

01.10.2024

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