



Crl.O.P.No27183 of 2024

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P.DHANABAL,J.

The petitioner/accused , who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of IPC in Crime No.194 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that there was property dispute between the petitioner and the defacto complainant. Based on the joint venture agreement in respect of construction work, the petitioner had obtained money, but not completed the work, when the same was questioned by the complainant, he abused and threatened them. Hence, the case.

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. He further states that there is no previous case against him and he is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



CrI.O.P.No27183 of 2024

WEB COPY

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that there was property dispute between the parties. Based on the joint venture agreement in respect of construction work, the petitioner had obtained money, but not completed the work, when the same was questioned by the complainant, he abused and threatened them. He further submits that no previous case is pending against the petitioner. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of offence, there was property dispute between the parties, based on the agreement in respect of construction work, and also the fact that there is no previous case against him and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



CrI.O.P.No27183 of 2024

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned CCB Court, Egmore 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 concerned and on further condition that:

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

[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



CrI.O.P.No27183 of 2024

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 269 B.N.S.

29.10.2024

Vv

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Crl.O.P.No27183 of 2024

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Crl.O.P.No.27183 of 2024

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