



Crl.O.P.No.28197 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 115(2) and 351(2) of BNS Act, in Crime No.525 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the de-facto complainant XXX is that she was living in relationship with the accused for 1 ½ years and that she has become pregnant. Later, she came to know that the accused was after her money and thereby she had severed the relationship and accused had threatened her and refused to return the money borrowed from her and had also taken her car bearing Registration No.TN 02 BT 6013. When it was questioned the accused abused her and also taken an amount of Rs.10,000/- and threatened her with his henchmen. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that due to misunderstanding and financial



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dispute, a false complaint has been given against him. Based on which, an enquiry was conducted earlier in CSR.No.738 of 2024 and the complaint was closed. Subsequently, for the reasons best known, the case has been registered. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner and the de-facto complainant were living together. Thereafter, the petitioner had taken her cash and money and assaulted her and refused to return the same. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

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 V**



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Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner 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 petitioner and the sureties shall affix their photographs 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner 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 petitioner in accordance with



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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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

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