



Crl.O.P.No.29092 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest pursuant to the Non-Bailable warrant issued on 09.10.2024 in C.C.No.923 of 2007 on the file of the Metropolitan Magistrate, for Exclusive Trial of CCB cases (Relating to Cheating Cases in Chennai and CBCID Metro Cases), Egmore, Chennai, for the offences punishable under Sections 406 and 420 of IPC, in Crime No.601 of 2005, seeks anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that, the petitioner due to ill-health, he was unable to appear before the Court below on 09.10.2024 and thereby, the learned Trial Judge has issued Non-Bailable warrant of arrest against the petitioner. He would submit that, earlier the petitioner filed application seeking to recall the witnesses in Crl.M.P.No.58323 of 2023, on the file of the Metropolitan Magistrate, for Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai, and CBCID Metro Cases) Egmore, Chennai and it was dismissed on 01.03.2024. Thereafter, the petitioner has filed Crl.O.P.No.24771 of 2024 before this Court, and this Court by order dated 09.10.2024 has set aside that order and permitted



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the petitioner to recall the witnesses P.W.1 to P.W.7 for cross-examination. He would submit that the case stands posted on 30.12.2024 and the petitioner undertakes to co-operate for the speedy disposal of the case. He would further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, would submit that petitioner did not appeared before the Court below on 09.10.2024 and thereby the Court had issued Non-Bailable warrant of arrest. He would submit that prior to filing final report, charge sheet is filed, now case is proceeding in C.C.No.923 of 2007 and the case now stands posted on 30.12.2024 for further examination.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and this Court has also earlier permitted the petitioner to recall P.W.1 to P.W.7, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. 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 **Metropolitan Magistrate, for Exclusive Trial of CCB cases (Relating to Cheating Cases in Chennai, and CBCID Metro Cases) Egmore, Chennai** , 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, 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Trial Court on all working days at 10.30 a.m., for a period of one week and thereafter, on the dates as fixed by the Trial Court;

[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;



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[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 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 B.N.S.

26.11.2024

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