



Crl.O.P.No.28944 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.351 of 2024 registered for the offences punishable under Sections 406 & 420 of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, the accused induced the defacto complainant to register a property, after paying part amount by showing a fabricated Demand Draft as security and cheated the defacto complainant. Hence the case.

3. 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 a case of civil nature has been given a criminal colour. He would submit that the defacto complainant had sold the property to the petitioner, subsequently, he demanded more amount from the petitioner. Since, the petitioner did not agree to his demand, he has given a false complaint. He would submit that in respect of the very same allegation, the defacto complainant has filed a Suit before the Additional District Judge, Chengalpattu, which is pending in O.S.No.309 of 2024 seeking to set aside the sale. He would



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submit that, the case of the prosecution is borne out by the documents and the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for the grant of anticipatory bail, would submit that petitioner is arrayed as A-4, had approached the defacto complainant to buy a flat, and the sale consideration was fixed as Rs.54 Lakhs, he gave a Demand Draft, and the same was found to be fake. He would submit that A-1 to A-3 are the intermediary.

5. 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, 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 appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Pallavaram**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties,



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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 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 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 Section 269 of B.N.S.

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26.11.2024



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