



Crl.O.P.No.28996 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 506(i) of IPC in Crime No.36 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Akbar Ahamed has lodged a complaint stating that, due to financial transactions, the petitioner along with other accused, threatened the defacto complainant with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and has been falsely implicated, based on a false complaint given by the defacto complainant. He would further submit that the respondent police had completed the investigation and filed Charge sheet before the II Metropolitan Magistrate Court, Egmore, Chennai in C.C. No.2485 of 2024, however, no summons has been received from the Trial Court and the petitioner has no knowledge about the case, therefore, he was unable to appear before the Trial Court on 05.09.2024, thereby a Non Bailable Warrant has been



issued against the petitioner. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear before the Trial Court on all hearing dates without any default and to co-operate for the Trial, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner along with other accused, threatened the defacto complainant with dire consequences, due to money dispute between them. He would further submit that absconding Charge sheet has been filed before the II Metropolitan Magistrate Court, Egmore, Chennai in C.C. No.2485 of 2024 and a Non Bailable Warrant has been issued against the petitioner herein on 05.09.2024, for non appearing before the Trial Court.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the



submissions made by the learned counsel on either side and considering that Charge sheet has been filed before the Trial Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 II Metropolitan Magistrate Court, 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 learned II Metropolitan Magistrate, Egmore on all working days at 10:30 a.m., for a period of two weeks, thereafter, the dates fixed by the learned Magistrate concerned.



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[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

20.11.2024

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