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Crl.O.P.No.27762 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.187 of 2023, seeks anticipatory bail.

2.It is the case prosecution that the defacto complainant, Branch Manager, Sri Ram Finance Transport Company, Maraimalainagar, had stated that on 03.09.2018 the petitioner had purchased a JCB vehicle bearing Registration No.TN-19-D-1414 through loan and had repaid only part of the loan. Thereafter, the petitioner had not paid the equal monthly instalments. The said vehicle had been seized and parked at the yard. At that time, one Krishnan had approached the defacto complainant and informed them that the seized vehicle was his vehicle. It had been found that the number plate had been changed.



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3.The learned counsel for the petitioner stated that towards the equal monthly instalments, only a sum of Rs.8,00,000/- is due as on date and stated that the other amounts had been paid. It is also stated that the petitioner would pay the balance amount and to show bonafide came forward to deposit a sum of Rs.2,00,000/- to the credit of Crime No.187 of 2023.

4.Heard the learned Government Advocate (Criminal Side) for the respondent also.

5.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner, however directing the petitioner to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.187 of 2023 before the learned Judicial Magistrate No.II, Chengalpet and on such deposit, the learned Judicial Magistrate No.II, Chengalpet, may hand over the said amount to the defacto complainant.



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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 – II, Chengalpet, 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 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.

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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 absconds, a fresh FIR can be registered under Section 229A IPC.

13.02.2024

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