



Crl.O.P.No.29713 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.208 of 2024 registered for the offences punishable under Sections 406, 420, 506(i) r/w. Section 120(B) of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per defacto complainant Prema Raman, is that the accused agreed to purchase the property belonging to her minor daughter for Rs.1,26,00,000/- and the accused paid the Guide line value of Rs.62,37,000/- by Union Bank of India through RTGS and thereafter, paid an amount of Rs.5,00,000/- via Demand Draft to her account and later, after registration, the accused refused to pay the balance amount of Rs.58,63,000/- and when it was questioned, the accused had threatened the defacto complainant. Hence the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this court. He would submit that the amount of Guide line value was paid through RTGS transaction and the balance amount was paid through cash. He would submit



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that defacto complainant's husband C.Mohanaraman, had received the balance amount as also given receipt for the same and a false complaint has been given against the petitioners. He would submit that, earlier the petitioners were called for enquiry before the respondent, and the petitioners have appeared, and they have also produced the proof for the same and the complaint was closed and thereafter for the reasons best known, the accused have been revived. He would submit that the entire case of the prosecution is borne out by the documents. The defacto complainant after receiving entire amount, executed the sale deed as also released deeds. He would further submits that the petitioners are ready to abide by any stringent conditions 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 grant of anticipatory bail, would submit that, the defacto complainant initiated to sell a property, which he owns. The petitioners approached the defacto complainant for the sale of the property, for sale consideration of Rs.1,26,00,000/-, initially an amount of Rs.62,37,000/- was paid through RTGS and Demand Draft for an amount of Rs.5,00,000/- was given and the balance consideration was agreed to be paid after registration. But, the accused not paid the amount, thereby cheated the defacto complainant and also gave life threat.



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5. Having heard the learned counsel for the petitioners, 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 petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Metropolitan Magistrate Court, CCB, CBCID, Egmore, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

28.11.2024

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