



Crl.O.P.No.4767 of 2022

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Dr.G.JAYACHANDRAN,J.

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The petitioners, who apprehend arrest for the alleged offences **under Section 420 of the IPC**, on the file of the respondent police, seeks anticipatory bail.

2. The petitioners herein are apprehending arrest at the hands of the respondent for securing a Government Job by producing fake community certificate.

3. The learned counsel for the petitioner submits that after the report of the facts finding committee, the petitioner has been removed from service. That apart a prosecution has been lodged against him under Section 420 IPC for cheating and procuring Government Services. He further submits that the petitioners are ready and willing to abide any condition and willing to cooperate with the investigation and detention of the petitioners are not required.



4. Taking note of facts that the petitioner has already been removed from service and enlarging him on bail will not lead to any tampering of evidence or enforcing the witnesses.

5. In view of the above, this Court is inclined to grant anticipatory bail to the petitioners .

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned **Judicial Magistrate No.IV, Salem** on condition that the petitioners shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh), 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 and on further condition that:

(a) the petitioners and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioners shall report before the Investigating Officer as and when required for interrogation.

(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 has 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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