



Crl.O.P.No.14958 of 2022

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SATHI KUMAR SUKUMARA KURUP, J.,

The Petitioner, who apprehends arrest at the hands of the Respondent/Police for the offences punishable under Sections 294(b), 420, 506(II), 465, 468, 471, 472 & 502 of IPC, in Crime No.1147 of 2021, seeks Anticipatory Bail.

2. The learned Counsel for the Petitioner submits that the Petitioner had been falsely arrayed as A3 in Crime No.1147 of 2021. Hence, he seeks anticipatory bail.

3. It is the allegation of the complainant that the Petitioner and other accused collected money from various individuals on the promise of getting job and sent appointment orders through “whatsapp”. Thereafter, when the de-facto complainant came to know that the said appointment orders were forged one, he questioned the Petitioner, due to which, there was clash between the Petitioner and de-facto Complainant,



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based on which, the case had been registered by the Respondent/Police for the above said offences.

4. The learned Government Advocate (Crl.side) appearing for the Respondent/Police submits that the Petitioner and other accused belong to the same family. They had received money from various individuals on the promise of getting them job. It is alleged that they have collected huge amount to the tune of Rs.28,50,000/-. Further, the learned Government Advocate (Crl.side) submits that the Petitioner herein is arrayed as 3rd accused. The other accused are absconding.

5. Considering the offences alleged against the Petitioner herein and other accused, this Court is inclined to grant anticipatory bail to the Petitioner with stringent conditions.

6. Accordingly, the Petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.1147 of 2021, within a period of fifteen days from the date on which the order



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copy is made ready and on such deposit, the Petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif cum Judicial Magistrate, Nannilam, on condition that the Petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, out of which, one of the sureties shall be a blood surety**, 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, this anticipatory bail petition shall stand dismissed automatically without further reference to Court and on further condition that:

[a] the Petitioner and the sureties shall affix their photographs and Left Thumb Impressions in the surety bond and the Magistrate concerned may obtain a copy of their proof of identity like Aadhar card or Voter identity card or driving licence or Bank pass Book.

[b] the Petitioner shall appear before the Respondent/Police daily at 10.00 a.m., for a period of one month and thereafter as and when required for interrogation.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge on conclusion of trial.



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[d] the Petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the Petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

15.07.2022

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