



Crl.O.P.No.16005 of 2022

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**M.DHANDAPANI,J.**

The petitioner who apprehends arrest for the alleged offence under Section 120B and 420 of IPC in Crime No.21 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner got acquainted with Mr.Sathya @ Parthiban (A2), who promised to offer Government job in Group 2 Services and also introduced the de-facto complainant to A2. Believing the words of A2, the de-facto complainant has paid a lump sum to A2 for securing job. While so, after sometime only the de-facto complainant realised that the petitioner and A2 have cheated several persons like him on false promise to offer Government job. Likewise, the petitioner and A2 have cheated about nine persons including the de-facto complainant in the similar manner. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that though the earlier anticipatory bail applications filed by the petitioner were



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dismissed, however, subsequently, the petitioner has already settled a sum of Rs.58,00,000/-(Rupees Fifty eight Lakhs only) out of the total sum of Rs.98,00,000/-(Rupees Ninety eight Lakhs only) to six victims. Further, learned counsel for the petitioner, on instructions, submitted that the petitioner is ready to settle the balance amount of Rs.40,00,000/- (Rupees Forty Lakhs only) to the other three victims. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. side) submitted that though the earlier anticipatory bail applications filed by the petitioner were dismissed in the year 2021, however, till date, the investigation officer has not taken steps to secure the accused persons. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the fair submission made by the learned counsel for the petitioner, as the petitioner himself has come forward to settle the balance amount of Rs.40,00,000/-(Rupees Forty Lakhs only) to the remaining three victims and though, this Court dismissed the earlier anticipatory bail



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application filed by the petitioner with cost, subsequently, he settled a sum of Rs.58 Lakhs to six victims. Hence, this Court is inclined to grant anticipatory bail to the petitioner, on condition that, the petitioner is directed to settle the balance amount of Rs.40,00,000/-(Rupees Forty Lakhs only) to the remaining three victims, within a period of six weeks from the date of receipt of a copy of this order and file appropriate receipt of payment before this Court.

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 of receipt of a copy of this order, before the learned Judicial Magistrate Court No.1, Namakkal 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioner shall report before the respondent police daily 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;

(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]*; and;

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

7. Post the matter under the caption 'For reporting compliance' on 25.08.2022.

12.07.2022



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**Note to Office:**

Issue order copy on 22.07.2022.

**M.DHANDAPANI,J.**

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