



Crl.O.P.No.15786 of 2022

Crl.O.P.No.15786 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.188 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had lent several crores of money to the accused persons on the pretext that the same would be invested in various business. Thereafter, it was found that the petitioner and other accused cheated the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant anticipatory bail to the petitioner.



Crl.O.P.No.15786 of 2022

WEB COPY

4. The learned Additional Public Prosecutor would submit that the petitioner is arrayed as A6. The petitioner and other accused cheated the defacto complainant to the tune of Rs.3 Crores. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are totally 6 accused in which the petitioner is arrayed as A6. He is the son-in-law of A4. Even according to the case of the prosecution, A4 received Rs.3 Crores from the defacto complainant to deposit the said amount and repay with interest. Thereafter, A4 cheated the defacto complainant. Therefore, the petitioner has nothing to do with the other accused and he is only son-in-law of A4.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.15786 of 2022

WEB COPY

7. 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-1, Tambaram, 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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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.

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.No.15786 of 2022

mn

[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.

12.07.2022

mn/cda

Crl.O.P.No.15786 of 2022