



WEB COPY



Crl.O.P.No.16665 of 2022

Crl.O.P.No.16665 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) IPC in Crime No.230 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner received Rs.9 lakhs from the defacto complainant, promised to secure Government job to his son and daughter thereafter, the petitioner neither return the amount nor secure the job. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is falsely implicated in this case. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the



CrI.O.P.No.16665 of 2022

WEB COPY

petitioner received some amount from the defacto complainant in order to secure Government job and cheated. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that admittedly the entire amount has been received by the petitioner through bank transaction. Further, the learned counsel for the petitioner submitted that the petitioner is ready and willing to pay a reasonable amount as imposed by this Court, without prejudice to his right of defence.

6. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall pay a sum of Rs.10,00,000/- (Ten Lakhs only) by way of Demand Draft, in favour of the defacto complainant, within a period of four weeks.

7. Accordingly, the petitioner is ordered to be released on bail in



CrI.O.P.No.16665 of 2022

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-II, Bhavani, 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 shall deposit a sum of Rs.10,00,000/- (Ten Lakhs only) by way of demand draft in favour of the defacto complainant, within a period of four weeks.

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.



CrI.O.P.No.16665 of 2022

WEB COPY

[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.

18.07.2022

ata

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.No.16665 of 2022

ata

Crl.O.P.No.16665 of 2022

18.07.2022