



Crl.O.P.No.16702 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 408 of IPC in Crime No.134 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner collected Rs.14,72,000/- from 16 persons for getting employment at Singapore since the petitioner is running a manpower agency under KSBS Management and Technology Private Limited. However, for the employment they were charged more amount by the employer. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. She would further submit that as assured by the petitioner, all the victims were sent to the Singapore and got employment. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Public Prosecutor (Puducherry) would submit that the persons getting job at Singapore will normally be charged one month salary. However, they were charged more amount. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The petitioner is the sole accused. The case of the defacto complainant is that the petitioner collected so far Rs.14,72,000/- from 16 persons for getting employment at Singapore. The petitioner is running manpower agency under the KSBS Management and Technology Private Limited. Thereafter, the victims were sent to Singapore for their respective employment. However, they were charged more amount from the employer. Normally, one month salary will be deducted from the employer for the charges. Therefore, as assured by the petitioner, all the victims were sent to Singapore and got employment. Therefore, the custodial interrogation of the petitioner does not require in this case and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Integrated Court Complex, Puducherry, 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 four 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



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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]**.

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

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