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CrI.O.P.No.17285 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 Sections 406 and 420 IPC in Crime No.292 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and his wife received a sum of Rs.10 lakhs from the defacto complainant to secure Government job for petitioner's son and daughter and further the defacto complainant gave Rs.3.5 lakhs for the purpose of MGR TV and got back Rs.2 lakhs. The petitioner failed to secure Government job and failed to return the money. Hence the complaint.

3. The learned counsel for the petitioner submitted that the defacto complainant never seen the petitioner's wife and she has been implicated as accused in this case. He further submitted that the petitioner and his wife never put any signature in the blank stamp paper and the promissory



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notes. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner's wife was arrested and he is in judicial custody, both the A1 and A2 received Rs.10 lakhs from the defacto complainant in order to secure Government job to his son and daughter by creating fake appointment orders and cheated. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.292 of 2022, within a period of four weeks. On such deposit, the petitioner is ordered to be released on bail.

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



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Judicial Magistrate, Coimbatore No.VII, 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.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.292 of 2022, 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.

[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.



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[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.

25.07.2022

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