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CrI.O.P.No.17274 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.32 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner demanded Rs.3,50,000/- from the defacto complainant in order to secure Government job in Tamil Nadu Police department. Believing the words of the petitioner, the defacto complainant paid Rs.2,00,000/- and further paid Rs.1,50,000/- to the petitioner in the presence of one Antoniraj. Even after lapse of one year, no response from the side of the petitioner. Hence the complaint.

3. The learned counsel for the petitioner submitted that the above complaint is absolutely false. He further submitted that the complaint was lodged by the defacto complainant with an intention to arm-twist the



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petitioner by way of this above criminal complaint in order to extract more money from the petitioner. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner received Rs.3,50,000/- 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 the petitioner totally received Rs.3,50,000/-, insofar the petitioner repaid a sum of Rs.1,50,000/- and the petitioner shall pay the balance amount of Rs.2,00,000/-.

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.2,00,000/- (Rupees Two Lakhs only) to the defacto complainant, within a period of two weeks. On such payment, the petitioner is ordered to be released on bail.



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7. 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-II, Cuddalore, 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 pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the defacto complainant within a period of two 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 two weeks and thereafter as and when required for interrogation.



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[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.

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