



Crl.O.P.No. 18693 of 2022

Crl.O.P.No.18693 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 & 420 of IPC in Crime No.126 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused assured the de-facto complainant to get a post of Chairman in Puducherry Distilleries Ltd. and received a sum of Rs.21 lakhs from the de-facto complainant. Thereafter, the accused persons failed to get any post and also refused to repay the amount. When the same was questioned by the defacto complainant, the petitioner and other accused threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that even according to the prosecution, so far as the petitioner received only a sum of Rs.5,00,000/-, that too by cash. Now, she is ready and willing to deposit the same, therefore, he prays for grant of anticipatory bail to the petitioner.



CrI.O.P.No. 18693 of 2022

4. The learned Public Prosecutor (Puducherry) would submit that there are totally 5 accused, in which the petitioner is arrayed as A2. The petitioner along with other accused received a sum of Rs.21 lakhs from the de-facto complainant, by assuring him to get a post of Chairman in Puducherry Distilleries Ltd. and thereby, cheated him. Hence, she vehemently opposed for grant of anticipatory bail to the petitioner.

5. Pursuant to the First Information Report, the petitioner received a sum of Rs.5,00,000/- by way of cash to get the post of Chairman in Puducherry Distilleries Ltd. In fact, she had also entered into an agreement with the de-facto complainant to the same and now, she is ready and willing to deposit a sum of Rs.5,00,000/-, which was received by her, without prejudice to her right of defence.

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

7. Accordingly, the petitioner is directed to deposit a sum of Rs.7,50,000/- (Rupees Seven lakhs Fifty Thousand only), without prejudice to her right of defence, to the credit of Crime No.126 of 2022,



CrI.O.P.No. 18693 of 2022

within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.I, 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 stands 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 deposit a sum of Rs.7,50,000/- (Rupees Seven lakhs Fifty Thousand only) to the credit of Crime No.126 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.



CrI.O.P.No. 18693 of 2022

G.K.ILANTHIRAIYAN, J.

ham

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

05.08.2022

ham

CrI.O.P.No.18693 of 2022