



Crl.O.P.No.19005 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offences under Sections 417, 420, 465, 468 and 506(i) of IPC in Cr.No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons have collected a sum of Rs.15,00,000/- from the defacto complainant and her relatives for securing job in foreign countries, but, they have neither sent them abroad nor returned the money. When the same was questioned by the defacto complainant, the petitioner along with other accused persons abused her. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that he has no way connected with alleged occurrence and he has been falsely implicated in this case. He would further submit that this Court already granted anticipatory bail to the petitioner in Crl.OP.No.1034 of 2022



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dated 01.02.2022 on condition that the petitioner shall deposit Rs.3,00,000/- to the credit of crime number within a stipulated period. However, after the stipulated period only the petitioner was able to deposit the said amount. As such, the time granted by this Court lapsed. Therefore, the petitioner has filed the present petition praying to grant anticipatory bail.

4.The learned Additional Public Prosecutor submits that this is the case of job racketing. It is alleged that the petitioner along with other accused persons have collected a sum of Rs.15,00,000/- from the defacto complainant for securing job in foreign countries, but, they have neither sent them abroad nor returned the money. He further submitted that the charge sheet has been filed. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering that the petitioner already deposited Rs.3,00,000/- to the credit of crime number as imposed by this Court in CrI.OP.No.1034 of



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2022 dated 01.02.2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of Tamilnadu State Legal Services Authority, Chennai, within a period of four 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 his appearance, before the **learned Judicial Magistrate No.I, Ariyalur** 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.



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[b] the petitioner shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of Tamilnadu State Legal Services Authority, Chennai, within a period of four weeks from the date on which the order copy made ready.

[c] the petitioner shall appear before the trial court concerned regularly on every hearing dates.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

12.08.2022

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G.K.ILANTHIRAIYAN,J.

The above matter is listed today under the caption “for being mentioned”. It is clarified that paragraph Nos.5 and 6 of this Court's earlier order dated 12.08.2022 in Crl.O.P.No.19005 of 2022, shall be modified to the following effect:

“5. Considering the facts and circumstances of the case and also considering that the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of crime number as imposed by this Court in Crl.O.P.No.1034 of 2022 dated 01.02.2020, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only to the credit of Crime No.1 of 2020 and also directed to make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of Tamilnadu State Legal Services Authority, Chennai, within a period of four 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 his appearance,



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before the learned Judicial Magistrate No.1, Ariyalur 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:”

2. In other respects, the earlier order dated 12.08.2022 shall remain un-altered.

3. Accordingly, the Registry is directed to issue a fresh order copy in Crl.O.P.No.19005 of 2022 dated 12.08.2022 after making necessary corrections.

14.09.2022

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