



Crl.O.P.No.19037 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 IPC r/w 66 D of IT Act, in Crime No.1 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had received a sum of Rs.10,51,200/- from the defacto complainant in the name of their Company in order to open Life Insurance Policy in the names of employees of the defacto complainant and involved in cheating. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they are no way connected with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that petitioners received a sum of Rs.10,51,200/- from the defacto



CrI.O.P.No.19037 of 2022

complainant in order to open policy in the names of the employees of the defacto complainant and involved in cheating. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that there are totally five accused in this case in which, the petitioners are arrayed as A2 and A3. The petitioners along with other accused totally received Rs.10,51,200/-. Now, the first accused was arrested and remanded to judicial custody and no amount was recovered. Further, the learned counsel for the petitioner would submit that the petitioners in order to prove their bonafide, ready and willing to deposit a reasonable amount as directed by this Court.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall deposit a sum of Rs.2 lakhs each to the credit of Crime No.1 of 2022, within a period of four weeks from the date of receipt of a copy of this order and on receipt of such deposit, the petitioners are ordered to be released on bail.



CrI.O.P.No.19037 of 2022

WEB COPY

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate No.1, Ariyalur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall deposit a sum of Rs.2 lakhs each to the credit of the Crime No.1 of 2022, within a period of four weeks from the date of receipt of a copy of this order.



CrI.O.P.No.19037 of 2022

WEB COPY

[c] the petitioners 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.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

11.08.2022

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Page 4 of 5



WEB COPY



Crl.O.P.No.19037 of 2022

G.K.ILANTHIRAIYAN, J.
ata

Crl.O.P.No.19037 of 2022

11.08.2022