



Crl.O.P.No.19544 of 2022

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WEB C **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.55 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that one D.Gajalakshmi, wife of A.Kesavan hailing from Tiruvallur District lodged a complaint to the Superintendent of Police, Tiruvallur District alleging that the petitioner received money in the year 2014 to get Government Job to the complainant later failed either get job or repays the amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was already granted anticipatory bail on 15.11.2021 in Crl.O.P.No.21049 of 2021. Due to personal inconvenience, the petitioner was not able to execute the sureties and therefore, the petitioner has again filed the present petition seeking for anticipatory bail. On instructions, he would further submit that the petitioner is ready to deposit an amount of **Rs.5,000/-** to the credit of the **Tamil Nadu Legal Services Authority** and prays for grant of anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submitted that in the year 2014 the petitioner received the amount by giving false allegations for getting job in the Government. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that the petitioner has come forward to deposit an amount of **Rs.5,000/-** to the credit of the **Tamil Nadu Legal Services Authority**, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.5,000/-** (Rupees Five Thousand only) as non refundable deposit to the credit of the **Tamil Nadu Legal Services Authority** and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Pallipattu, on condition that the petitioner shall execute a bond for a sum



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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.

[b] the petitioner shall report before the respondent police every Monday and Friday at 10.30 a.m. until further orders.

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

[d] the petitioner 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 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]**.



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

30.08.2022

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