Crl.O.P.No.19607 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 468, 471, 120B of the Indian Penal Code and Sections 7 and 7A of the Prevention of Corruption Act, 1988 in Crime No.RC 032 2022 A 0005 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police alleging that the accused informed her that he would secure a job in Railway Department. Believing the words of the accused, the defacto complainant remitted an amount of Rs.27,46,000/- in the account numbers provided by the accused. Further, the copies of the appointment orders were sent to the defacto complainant. Later on, she came to know that the appointment orders were fake. When the defacto complainant questioned about the same, she was threatened with dire consequences by the accused.

3. The learned counsel appearing for the petitioner would submit that the son of the first accused is a good friend of the petitioner and he borrowed a sum of Rs.16,00,000/- from the petitioner. Thereafter, the defacto complainant's father-in-law and his wife sent a sum of Rs.8,00,000/- and Rs.6,00,000/- respectively on different occasions to the bank account of the petitioner, based on the direction of A1, for which the respondent detained the family members of the petitioner. The petitioner has nothing to do with the crime as alleged by the prosecution. However, he would further submit that petitioner, without prejudice to his rights, is ready and willing to deposit a reasonable amount as imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Special Public Prosecutor for CBI would submit that this is the case of job racketing. So far as the victims deposited 21 Lakhs and odd to the petitioner's account to get a job in Central Government. Thereafter, the petitioner neither secured any job nor returned the amount and cheated the defacto complainant. He also submitted the counter affidavit filed by the respondent before this Court, in which the details of

transaction has been given which follows as under:

Date of Transaction	Account Name	Account No.	Bank Details	Amount
23.02.2021	Shri.Dhananjaya	920010038627305	Axis Bank Jayanagar 7th Block	4,00,000
23.02.2021	Shri.Antony	3868490858	Central Bank of India, Veraiyur	4,00,000
03.03.2021	Shri.Antony	181407070845	Kotak Mahindra Bank, Adyar	1,00,000
03.03.2021	Shri.Dhananjaya	159482815555	Induslnd Bank, Jayanagar 5th Block	4,00,000
07.04.2021	Shri.Dhananjaya	1325155000001049	Karur Vysya Bank, Basavankudi	3,00,000
20.04.2021	Shri.Antony	3868490858	Central Bank of India, Veraiyur	2,00,000
26.04.2021	Shri.Dhananjaya	1325155000001049	Karur Vysya Bank, Basavankudi	88,000
26.04.2021	Shri.Dhananjaya	1325155000001049	Karur Vysya Bank, Basavankudi	58,000
26.04.2021	Shri.Antony	UPI Transfer by Smt.Suvetha		20,000
03.08.2021	Shri.Antony	UPI Transfer by Shri.Sreedharan		30,000
April & June 2021	Shri.Antony	Cash given by Shri.Sreedharan		50,000
Total				20,46,000

Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, 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.14,00,000/- (Rupees Fourteen Lakhs only) to the credit of Crime No.RC 032 2022 A 0005 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 Additional Chief Metropolitan Magistrate, Chennai 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.

[b] the petitioner shall deposit a sum of Rs.14,00,000/- (Rupees Fourteen Lakhs only) to the credit of Crime No.RC 032 2022 A 0005 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.

[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.K.ILANTHIRAIYAN, J.

Anu

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

02.09.2022

Anu

Crl.O.P.No.19607 of 2022