



Crl.O.P.No.20428 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 406 and 420 IPC in Crime No.8 of 2022, seeks anticipatory bail.

2. It is seen that there are totally two accused, in which the petitioner is arrayed as A2, who is brother in law of A1. The case of the prosecution is that the petitioner along with A1 received a sum of Rs.50,10,000/- from the 102 victims and thereafter, neither secured the job nor returned the money with a false promise for procuring job in Singapore and also collected a huge sum from various other persons. Further, it is alleged that the petitioner along with A1 has collected a sum of Rs.22,50,000/- from the defacto complainant for securing a job in Singapore. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely



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implicated in this case. However, he would further submit that the petitioner is ready to deposit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) to the credit of crime No.8 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with A1 has cheated the victims totalling amount to the tune of Rs.50,10,000/-. Though no amount had been transferred to the account of the petitioner, however, he along with A1 had assured the victims that they would secure the job in Singapore. He would further submit that A1 had already been arrested and remanded to judicial custody and no recovery has been made from him. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court finds that the custodial interrogation of the petitioner need not require. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is directed to deposit a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) to the credit of Crime No.8 of 2022, 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 her appearance, before the learned Judicial Magistrate Court No.7, Coimbatore 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.15,00,000/- (Rupees Fifteen Lakhs only) to the credit of Crime No.8 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.



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[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., and 5.30 p.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 abscond, a fresh FIR can be registered under Section 229A IPC.

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