



Crl.O.P.No.22170 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 408 & 420 of IPC in Crime No.2 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons pledged fake jewels and obtained loan for a sum of Rs.93,79,316/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that petitioner was cheated by the appraiser. He would further submit that as far as the petitioner is concerned, he is stated to have pledged jewels worth Rs.5,81,500/- and his original jewels worth Rs.2,42,000/- is available with the bank and without prejudice to show his bonafide, the petitioner is ready to deposit a sum of Rs.2,00,000/- to the credit of the crime number and he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate appearing for the respondent would submit that the investigation is almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and submissions, and also the fact that without prejudice to show his bonafide the petitioner is ready and willing to deposit a sum of Rs.2,00,000/- to the credit of crime No.2 of 2021, 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.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.2 of 2021, 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 J.M.No.4., Salem**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only)



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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.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.2 of 2021, before the concerned Magistrate, within a period of four 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 report before the respondent police on everyday Saturday 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.



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

14.10.2022

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