



Crl.O.P.No.23209 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 294(b), 120B of IPC in Crime No.446 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused induced the de-facto complainant and others with fancy schemes and made them to invest with the assurance that they will get good returns and their investment are safe. Believing their sugar coated words, the de-facto complainant and other victims have invested the amount to the tune of Rs.59,00,000/-, whereas, he petitioners failed to repay the same as assured. On demanding the money, the first accused have issued documents and cheque and projected, as if they are they are the business partners of IKOT Maharajan and when the cheques were presented for collection, they were returned unpaid. Hence the complaint.



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3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they themselves are the victims. He would further submit that the petitioners are the family members of the first accused and they were not aware of the transaction done by the first accused in this case, however, they are also ready to settle the parties by selling their properties and to show their bonafide, they have also repaid certain amount to some of the victims. He would also submit that as far as this case along with the case in Crime No.431 of 2022 are concerned, all the investors have agreed to compromise the matter with the petitioners and they have also been repaid part of the amounts invested. He would further that the similarly placed co-accused have been granted with anticipatory bail by this court in Crl.O.P.No.20321 of 2022 dated 01.09.2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondents would submit that the petitioners have induced the



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several investors under the guise of giving huge return received money and cheated the investors to the tune of Rs.59,00,000/-. Hence, he vehemently oppose for grant of anticipatory bail to the petitioners.

5. The learned counsel for the interveners have also acknowledged that the de-facto complainant and other victims have been repaid part amount and that they have no objection in anticipatory bail being granted to the petitioners.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also considering the fact that similarly placed co-accused have been granted with anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, **the petitioners are directed to deposit the original title deeds not less than the value of Rs.1 Crore (stands in the name of the petitioners or their relatives or friends) along with proper valuation certificate obtained from the authority concerned, to the credit of Crime No.446 of 2022 within a period of two weeks**



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from the date of receipt of a copy of this order, without prejudice to their rights and contentions before the trial Court and on such deposit and production of proof, the petitioners are directed to be released on bail in the event of their arrest or on their appearance before the **learned Judicial Magistrate No.II, Chengalpet**, on condition that the petitioners shall execute a separate bond each 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 third petitioner shall report before the respondent police as and when required for interrogation;



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[c] as far as the other petitioners 1, 2 and 4 shall report before the respondent police every day at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

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

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

[f] 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]**.

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

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