

Crl.O.P.No.25826 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 406 and 420 IPC in Cr.No.387 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is one Vishnappan, Secretary, Tamil Nadu Agricultural Committee, Villupuram and the petitioner was working as Superintendent of Ulundurpet Regulatory Market Committee, Villupuram. On the date of occurrence, the petitioner without payment of Rs.92,64,531/- had allowed A1 and A2 for taking the products outside from the regulatory market in order to cheat the farmers. Hence, the case.

3.The learned counsel for the petitioner submits that he is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner had been appointed as a Supervisor of the company and he is no way connected with the alleged offence. Further he submits that at the compulsion of the defacto complainant, he has also paid



a sum of Rs.11,40,640/- to the defacto complainant and to that effect, he has also submitted the bank statement before this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was working as Superintendent of Ulundurpet Regulatory Market Committee, Villupuram. On the date of occurrence, the petitioner without payment of Rs.92,64,531/- had allowed A1 and A2 for taking the products outside from the regulatory market in order to cheat the farmers. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.1, Ulundupet** 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 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 Court concerned 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 Wednesday at 10.30 a.m. for a period of eight weeks and thereafter, appear before the trial Court on all hearing dates.

(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 anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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