

**Crl.O.P.No.24300 of 2022**

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offences under Section 406, 420 of IPC in Cr.No.591 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a money transaction between the petitioner and the informant. The petitioner did not repay the money and cheated him. 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 implicated in this case. However, he would submit that the petitioner, without prejudice to his rights and contentions is ready and willing to deposit some amount to the credit of Crime No.591 of 2022. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner has borrowed a sum of Rs.5,00,000/- and cheated the defacto complainant. He further submitted that the case is under



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

5. Taking into consideration the facts and the submissions and that the petitioner is ready and willing to deposit some amount to the credit of Cr.No.591 of 2022, 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.1,00,000/- (Rupees One lakh Only) to the credit of crime No.591 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 his appearance, before the learned **XXII Metropolitan Magistrate, Egmore** 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.1,00,000/- (Rupees One Lakh Only) to the credit of crime No.591 of 2022 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 appear before the **concerned learned Judicial Magistrate on every Tuesday at 10.30 a.m., for a period of two months 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.

12.12.2022

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4

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dpq

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