



Crl.O.P.No.25098 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 alleged offence punishable under Sections 420 and 120(B) I.P.C. in Crime No.168 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner along with other accused in the guise of securing jobs, have received a sum of Rs.18,00,000/- and thereby cheated the defacto complainant by not getting a job, based on which, a case has been registered.

3.Learned counsel appearing for the petitioner would submit that the petitioner is an innocent house wife and the main allegations are made only as against A1. He would further submit that she had approached this Court in Crl.O.P.No.12106 of 2018 and she was granted anticipatory bail vide order of this Court dated 21.08.2018, however, due to her illness, she



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was unable to surrender and execute sureties and the earlier order has also got lapsed. Accordingly, prays for grant of anticipatory bail.

4.Learned Government Advocate (Crl.side) vehemently oppose, stating that the petitioner along with other accused had received a sum of Rs.18,00,000/- from the defacto complainant on the promise of securing a job and has cheated the defacto complainant. He added that there are several other complaints pending as against the petitioner.

5.Taking note of the fact that this Court has granted anticipatory bail to the petitioner as early as on 21.08.2018 in Crl.O.P.No.12106 of 2018, however the petitioner was unable to execute sureties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court No.I, Bhavani on condition that the petitioner shall



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execute a bond for a sum of Rs.25,000/- (Rupees twenty five 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.5,000/- (Rupees Five Thousand only) to the Taluk Legal Services Authority, Bhavani.

[c] the petitioner is also directed to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Crime No.168 of 2018 as directed by this Court vide Crl.O.P.No.12106 of 2018 dated 21.08.2018.

[d] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders.

[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]; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

17.10.2022

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