



Crl.O.P.No.25136 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 offences punishable under Sections 406, 420, 465, 466 and 468 IPC in Crime No.341 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the first and the second petitioner are her daughter and son-in-law. The allegation is that the petitioners had induced the defacto complainant and her son that they will get him a job in a government college and took an amount of Rs.5,00,000/- and 13 sovereigns of gold jewels. Later, the petitioners handed over a fabricated appointment order and cheated the defacto complainant. The further allegation is that they have also created fabricated documents as if the defacto complainant had sold her house property to the second petitioner and the original property in respect of her property in Deevanur, Tindivanam was also taken over by the accused persons. Hence, the case.



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3. The learned counsel appearing for the petitioners would submit that the petitioners are none other than the daughter and son-in-law of the defacto complainant. There exist a civil dispute between the parties. He would submit that the defacto complainant had already borrowed lot of money from the petitioners and she had also executed a sale deed to the second petitioner in respect of her house property. In order to get back the property, she has lodged a false complaint against the petitioners. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the present case has been registered based on the direction from the learned Magistrate concerned. The petitioners, who are the daughter and son-in-law of the defacto complainant induced the defacto complainant for getting a government job for her son and took an amount of Rs.5,00,000/- and 13 sovereigns of gold jewels. However, they neither secured the job nor returned the money. He would further submit that the investigation is pending. Hence, he vehemently opposed for grant of



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anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

6. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai on condition that the petitioners shall execute a separate 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:

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[a] the petitioners 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 petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders.

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

[d] the petitioners 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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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