



Crl.O.P.No.24809 of 2022

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 406, 420 and 506(2) IPC in Crime No.4 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the sole accused, conducted unregistered chit and cheated the valuable investors to the tune of Rs.10,30,000/-. Hence, the case.

3. The learned counsel for the petitioner would submit that it is a case of money dispute between the parties, which has been projected as a case of running unregistered chit and even the case relates to the year 2016. He would further submit that the investigation had been completed and final report has been filed before the concerned Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for



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the respondent would submit that the petitioner has cheated the defacto complainant to the tune of Rs.10,30,000/-, by running unregistered chit.

He would submit that the investigation had been completed and final report has been filed before the learned Judicial Magistrate-I, Villupuram, however, the same has not been taken on file. Hence, he opposed to grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and the submissions made by the learned counsel and also taking into account that the investigation had been completed and final report has been filed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned



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Judicial Magistrate-1, Villupuram on condition that the petitioner shall 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 report before the learned Judicial Magistrate-I, Villupuram daily at 10.30 a.m., for a period of two weeks and thereafter on the dates fixed by the concerned Magistrate.

[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 bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.**



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State of Kerala [(2005)AIR SCW 5560].

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

26.10.2022

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