



Crl.O.P.No.24891 of 2022

Crl.O.P.No.24891 of 2022

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 Section 420 IPC in Crime No.217 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the accused on the guise of obtaining Government job received a sum of Rs.5,50,000/- from him and cheated him. Hence, the case.

3. The learned counsel for the petitioner would submit that it is a case of a financial dispute between the parties, which have been falsely projected as a case of job racketing. He would submit that in fact, based on the undertaking given by the defacto complainant, the petitioner had received the money from several persons and handed over the same to the defacto complainant and the defacto complainant had cheated the petitioner. Since the persons who have handed over the money to the petitioner had bothered and troubled him, the petitioner had sent a legal notice to the defacto complainant on 24.11.2021, mentioning about the money dispute between them. Subsequently, the petitioner's wife had also



Crl.O.P.No.24891 of 2022

lodge a complaint against the defacto complainant, based on which a case has been registered in Cr.No.36 of 2022. Only as a retaliation, the defacto complainant has given a false complaint against the petitioner. 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 in the guise of obtaining Government job, received a sum of Rs.5,50,000/- from the defacto complainant and cheated him. 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 considering the legal notice issued and the earlier complaint given by the wife of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.24891 of 2022

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 Judicial Magistrate, 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 respondent police daily at 10.30 a.m., until further orders.

[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.

A.D.JAGADISH CHANDIRA, J.

Anu



Crl.O.P.No.24891 of 2022

WEB COPY

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

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

26.10.2022

Anu

Crl.O.P.No.24891 of 2022