



Crl.O.P.No.25121 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 offence punishable under Sections 406 and 420 IPC in Crime No.924 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Ranjitha is that the petitioners and A1 were running a grocery store and they were conducting an unauthorised chit and collected money to the tune of Rs.34,27,450/- from the defacto complainant and several other persons and thereafter, cheated them. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely roped in this case. He would further submit that first petitioner is the wife of A1 who is working as Play School teacher and she has no nexus with the business conducted by her husband. As far as the second petitioner is concerned, she is not at all involved in the alleged offence and her name is also not in the FIR. He would further submit that A1 was arrested and remanded



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in judicial custody. He would also submit that the petitioners, in order to show their bonafide, ready and willing to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.924 of 2022.. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Per contra, the learned Additional Public Prosecutor would submit that the first petitioner along with A1 accused, conducted an unauthorised chit and they have collected money to the tune of Rs.34,27,450/- from the defacto complainant and several persons and cheated them. He would further submit that A1 has been arrested and remanded to judicial custody. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.924 of



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2022, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** jointly to the credit of **Crime No.924 of 2022**, and on such deposit and on receipt of proof of payment, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.I, Alandur, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties 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



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** to the credit of **Crime No.924 of 2022**.

[c] the first petitioner shall report before the respondent Police daily at 06.00 p.m., for a period of four weeks and thereafter, every Saturday at 10.30 a.m, until further orders and the second petitioner shall appear before the respondent police as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

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