

Crl.O.P.No.25686 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 406, 420, 463, 464, 465, 471, 506(ii) IPC in Cr.No.342 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the doctor by profession. The allegation is that the petitioner along with other accused visited the clinic of the defacto complainant and induced him in the guise of getting a job in Government and received an amount of Rs.2,48,00,000/- and cheated him. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is the Additional Director of Agricultural Department and he has been falsely implicated in this case. In fact, one Ashok kumar nad Jothikumar are the persons who have played a key role by alleged transaction with the defacto complainant. Moreover, he has also been cheated by them, against which he has also given a complaint. But, it was not prosecuted till date. Hence, he prays to grant anticipatory bail to the



petitioner.

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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is the main person who obtained an amount of Rs.2,48,00,000/- from the defacto complainant by giving false promise and cheated him. Hence, he vehemently oppose for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and that since the petitioner is a government servant, there is no possibility of absconding, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-III, Salem** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 and on further condition that:

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(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 every Tuesday and Friday at 10.30 a.m. for a period of three months and thereafter, appear before the trial Court on all hearing dates.

(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 anticipatory 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;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

07.12.2022

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4

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