



Crl.O.P.No.25833 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No.44 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Devanathan is that the first accused introduced him to the other accused, who was working in the Railway Department, had promised to secure a job in Railways and they have received a sum of Rs.6,50,000/- and cheated the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and even as per the complaint, the petitioner is alleged to have introduced the other accused to the defacto complainant, who had cheated the defacto complainant. He would further submit that in order to show his bonafide, the petitioner is ready and willing to deposit a sum of Rs.2,00,000/- to the credit of Crime No.44 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Additional Public Prosecutor would submit that the petitioner along with other accused had approached the defacto complainant for securing job at Railways and received a sum of Rs.6,50,000/- and cheated him. He would further submit that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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 petitioner is ready and willing to deposit a sum of Rs.2,00,000/- to the credit of Crime No.44 of 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** to the credit of **Crime No.44 of 2022**, and on such deposit and on receipt of proof of payment, 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



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order copy made ready, before the learned Judicial Magistrate II, Panruti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 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;

[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



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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 absconds, a fresh FIR can be registered under Section 229A IPC;

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