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Crl.O.P.No.25809 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 of IPC and 66 D of IT Act, 2008, in Crime No.77 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant registered his Bio-data in the Monster App for searching Job. Thereafter, he received a call, on 19.02.2021, in which, the person asked him whether you want to apply for job in Hundai Company and demanded Rs.200/- for interview fees and he paid. Thereafter, on many occasions, the defacto complainant paid to tune of Rs.2,33,250/- to the first accused through G-pay and other mode of Transactions and was cheated by first accused. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person she is no way connected with this case. Based confession of the first accused she falsely implicated in this case.



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Hence, he prays to grant anticipatory bail.

4. The learned Government Advocate (Crl. Side) submitted that the first accused has cheated the defacto complainant to the tune of Rs.2,33,250/- under the pretext of getting job from the Hyundai Company. Thereafter he was arrested, based on his confession statement the petitioner impleaded in this case. Hence, he prays to dismiss this petition.

5. Considering the facts and circumstances of the case and also the fact that investigation almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 II, Thiruvallur**, 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



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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 on every Wednesday at 10.30 a.m., for a period of three months and appear before the Trial Court every hearing without fail. Further, the petitioner shall **deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) to the credit of Crime No.77 of 2022 within three weeks** from the date of receipt of a copy of this order and on such deposit, before the *learned Judicial Magistrate II, Thiruvallur* and on such deposit, the defacto complainant is permitted to withdraw the said deposited amount of **Rs.1,50,000/-** on proper identification and acknowledgment;

[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.



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

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