



Crl.O.P.No.26006 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.503 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Rajendran is that the petitioner induced him to invest in the business of M/s Beauty Plus Global Services, ATTIS LIFE CARE, Subiksha Life Care and received a sum of Rs.15,00,000/- and cheated him. Hence the complaint.

3. The learned counsel for the petitioner would submit that it is the case of business transaction has been projected as a case of cheating. He would further submit that the defacto complainant had given money to the petitioner as loan and now he has projected the case as if the petitioner induced the defacto complainant to invest in his business as partner in the firm. He would further submit that without prejudice to his case the petitioner is ready and willing to deposit a sum of Rs.7,50,000/-



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to the credit of Crime No.503 of 2022 and the petitioner has no objection in the amount being released to the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner induced the defacto complainant and had cheated an amount of Rs.15,00,000/-. Hence, he vehemently 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.7,50,000/- to the credit of Crime No.503 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.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only)** to the credit of **Crime No.503 of 2022**, within a period of eight weeks from the date



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of receipt of a copy of this order 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 order copy made ready, before the learned Judicial Magistrate II, Coimbatore, 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 learned Magistrate shall issue notice to the defacto complainant through the respondent police and after due verification disburse the amount of Rs.7,50,000/- to the defacto complainant.



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

[e] the petitioner 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 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]**;

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

29.11.2022

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