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Crl.O.P.No.26893 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 120(B), 167, 409, 465, 467, 468 and 471 of IPC and Sections 13(2) read with 13(1)(c) and 13(2) read with 13(1)(a) of Prevention of Corruption Act, 1988 in Crime No.09 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner (arrayed as A6) along with other accused had misappropriated a sum of Rs.31,21,2017 by issuing bogus job cards under the MGNREGS scheme. Hence, the Law Enforcing Agency registered a case against the petitioner.

3. Earlier, this Court has granted anticipatory bail to the petitioner in Crl.O.P.No.572 of 2022 on 11.01.2022 with a condition to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit



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of Crime No.09 of 2021. Since the petitioner was unable to raise the funds and surrender, the anticipatory bail order got lapsed and thereby, the present anticipatory bail petition has been filed.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, **the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) as cost to the District Legal Services Authority, Tiruvannamalai and shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.09 of 2021, within a period of three weeks from the date on which the order copy made ready** and on such deposits and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the **Court of Chief Judicial Magistrate and Special Judge for trial of cases under PC act, Tiruvannamalai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees**



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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, 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 deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.09 of 2021, before the concerned Magistrate, within a period of three weeks from the date on which the order copy made ready and the E.O. / Commissioner of panchayat namely Nambedu Village Panchayat Pernamallur Panchayat union is permitted to withdraw the same with an undertaking affidavit.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with evidence or witness either



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during investigation or trial.

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[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.

24.11.2022

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