



Crl.O.P.No.27573 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 384 and 506(ii) of IPC in Crime No.540 of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant Sampath who is the Ex-Panchayat President of Sengadu Village is that the petitioner along with other accused claiming themselves to be the Central Intelligence Police had taken a sum of Rs.7 lakhs from the defacto complainant on the assurance not to arrest him. Later, it was found that the accused are imposters. Hence, the complaint.

3.The learned counsel appearing for the Petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case, based on the confession statement recorded from A1. He would further submit even as per the respondent/Police, A1 is said to have received the said amount from the defacto complainant and he has been arrested and enlarged on bail. He would also submit that the



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petitioner is suffering from kidney ailment and there is no previous case pending as against him. Thereby, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner along with other accused claiming themselves to be the Central Intelligence Police and had taken a sum of Rs.7 lakhs from the defacto complainant, who is the Ex-Panchayat President of Sengadu Village, on the assurance not to arrest him. Later, it was found that the accused were imposters. He would also submit that there is no previous case as against the Petitioner. However, he opposed to grant anticipatory bail to the Petitioner.

5. Heard the learned counsel and perused the entire materials available on record. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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, Sriperumbudur** on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 report before the respondent police on every Monday and Friday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 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.

16.11.2022

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