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Crl.O.P.No.26653 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 offence punishable under Section 420 of IPC in Crime .No.507 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant Palanivel is that the accused in the guise of obtaining Job for his son in the Tamil Nadu Transport Department had received an amount of Rs.5,00,000/- in the year 2017 and subsequently an amount of Rs.10,00,000/- in the year 2019 and later cheated the de facto complainant. Hence the case.

3. The learned counsel for the petitioner would submit that the case of financial dispute has been falsely projected as a case of Job racketing. However, he would submit that without prejudice, the petitioner is also prepared to deposit Original Title Deeds of immovable



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property worth Rs.10 Lakhs to show his *bona fide*. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner in the guise of obtaining Government Job cheated the de facto complainant to the tune of Rs.15,00,000/-. Therefore, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submissions of both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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**



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Judicial Magistrate No.II, Ulundurpet 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 deposit Original Title Deeds of immovable property worth Rs.10 Lakhs either belonging to themselves, relatives or friends.

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

[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;



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[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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

03.11.2022

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