



CrI.O.P.No.27572 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 420 of IPC in Crime No.211 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were running a chit business, in which the defacto complainant was also one of the subscribers. The defacto complainant invested a sum of Rs.10,61,958/- and also fund amount of Rs.3,00,000/-. After investment, the petitioners refused to settle the chit amount. Thereafter, when the defacto complainant asked to return the amount, the accused persons refused to return the amount and thereby cheated the defacto complainant. Hence, the complaint.

3. Even though this Court dismissed the anticipatory bail petition filed by the petitioners on two occasions, the respondent failed to secure the petitioner so far. However, the learned counsel appearing for the



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petitioners has submitted that insofar as the petitioners, who have been arrayed as A2 and A3, they are ready and willing to deposit a reasonable amount as fixed by this Court.

4. The learned Additional Public Prosecutor would submit that there are totally three accused, in which the petitioners are arrayed as A2 and A3, whereas A1 was arrested and remanded to judicial custody on 10.11.2022 and the petitioners are absconding and as such, they could not able to secure them. So far, all the accused persons have received a sum of Rs.16,00,000/-. That apart, the petitioners involved in three other similar cases. Therefore, the custodial interrogation of the petitioners is very much required. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, each of the petitioners is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.211 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate-XVIII, Saidapet on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related 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 petitioners 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] each of the petitioners shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.211 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.



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[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioners shall appear before the respondent police daily at 10.30 a.m. and 05.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioners shall not abscond either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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