



Crl.O.P.Nos.28485 & 29030 of 2022

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 409, 420 @ 405, 406, 409, 419 and 420 IPC in Crime No.485 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners by fabricating fake seals of the Tahsildar have supplied spoiled paddy to the Civil Supplies Corporation and cheated the Civil Supplies Corporation to the tune of Rs.4,15,000/-. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent farmers and they have been falsely implicated in this case. He would submit that they have not committed any offence. However, to show their bonafides, they are ready and willing to deposit 50% of the amount to the credit of Cr.No.485 of 2022. Thereby, he prays to grant anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor would submit that the petitioners by fabricating fake seals of the Tahsildar have supplied spoiled paddy to the Civil Supplies Corporation and cheated the Civil Supplies Corporation to the tune of Rs.4,15,000/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor and perused the materials available on record.

6. Considering the facts and the submissions, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners in Crl.O.P.No.28485 of 2022 shall jointly deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Only) to the credit of Crime No.485 of 2022 and the petitioner in Crl.O.P.No.29030 of 2022 shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) to the credit of Crime No.485 of 2022 on such deposit the petitioners are ordered to be released on bail in the event



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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 District Munsif Cum Judicial Magistrate, Keevalur on condition that the petitioners in both the Crl.O.P's shall execute a separate 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 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] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

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

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

[e] the petitioners 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



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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]**.

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

30.11.2022

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