



Crl.O.P.No.372 of 2023

WEB COPY

Crl.O.P.No.372 of 2023

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 506(i) IPC and 76(1) of Chit Funds Act, 1982, in Crime No.201 of 2022, seeks anticipatory bail.

2. The case of the prosecution, as per the defacto complainant is that the petitioner along with other persons had cheated the defacto complainant for a tune of Rs.43,96,100/- with regard to conducting of chit. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and by giving the false promise to buy a house for him, he has been falsely implicated in this case. and he has not committed any such offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.372 of 2023

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with other persons conducted chit group and refused to pay the chit amount of Rs.43,96,100/- to the defacto complainant and when questioned the same, the petitioner threatened the defacto complainant with dire consequences. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by both the counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 (15) days from the date of receipt of a copy of this order before the learned Special Court for CCB and CBCID, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties and one surety must be a blood surety, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest



CrI.O.P.No.372 of 2023

or to the satisfaction of the learned Magistrate concerned 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 Court concerned 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 daily at 10.30 a.m for a period of three months;

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

[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 has been imposed and the petitioner is 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;



WEB COPY



Crl.O.P.No.372 of 2023

T.V.THAMILSELVI, J.

drl

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

27.01.2023

drl

Crl.O.P.No.372 of 2023