



CrI.O.P.No.604 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(B), 420, 506(ii) and Section 34 of IPC, in Crime No.583 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant, the petitioner along with seven other accused persons had cheated him for a tune of Rs.25 lakhs for the purpose of business supplying jalli required for construction works. Further it is alleged that the petitioner herein, with the intention of deceiving the defacto complainant, a company named Aaran Concrete Private Limited was started by liquidating Sukra Private Concrete Limited. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is ready and willing to abide by any stringent condition as imposed by this Court. However, on instructions, the petitioner without prejudice to his rights and



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contentions is ready and willing to deposit some amount to the credit of crime no.583 of 2022 as directed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that the petitioner along with other accused were cheated the defacto complainant for a tune of Rs.25 lakhs. He further submits that the petitioner herein has paid a sum of Rs.2,20,000/- to the defacto complainant from his share percentage.

5. Taking into consideration the facts and the submissions made by the both counsel and also considering the fact that the petitioner without prejudice to his rights, on his own volition, is ready and willing to contribute some amount to the credit of crime number, 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



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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 No.II, Chengalpet**, 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 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 is directed to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** to the credit of Crime No.583 of 2022 before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

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

[c] 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;

[d] **the petitioner shall report before the respondent police on every Wednesday at 10.30a.m., until**



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further orders;

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

[f] the petitioner 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 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;

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

27.01.2023

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