



Crl.O.P.No.1719 of 2023

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

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b) and 506(2) of IPC, in Crime No.240 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Seloniya is that the petitioner along with other accused had induced the de-facto complainant stating that they have advanced to several lands and promising that they will be getting huge profits and received a sum of Rs.1,50,00,000/- from the de-facto complainant, thereby, they have cheated the de-facto complainant. When the de-facto complainant asked for return of the said money, the accused had threatened and abused her in a filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the earlier application filed by the petitioner in Crl.OP.No.28914 of 2022 was dismissed on 29.11.2022. Subsequently, the petitioner had moved an anticipatory bail in



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Crl.OP.No.1719 of 2023 and this Court by an order dated 07.02.2023 had referred the matter to Mediation Centre, Chennai and during the Mediation, the parties have compromised the matter and a settlement has been arrived between the parties, pursuant to which, the petitioner had executed a sale deed of a land to an extent of 330 cents at Eraiyur Village for a total amount of Rs.10 lakhs and the same has been received by the complainant-Seloniya. He further submit that the settlement has been arrived between the parties and thereby seeks anticipatory bail to the petitioner.

4. Taking into consideration the above facts and circumstances of the case and also the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 Judicial Magistrate No.I, Ulundurpet, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police



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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 report before the respondent police as and when required for interrogation.

[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 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]**;



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

6. The Mediation report shall form part of the Court records.

**20.03.2023**

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