



Crl.O.P.No.3464 of 2023

Crl.O.P.No.3464 of 2023

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 406, 417, 420 and 506(ii) of IPC in Crime No.21 of 2021, seeks anticipatory bail.

2. The case of prosecution is that the petitioner is alleged to have received a sum of Rs.15 lakhs and 3 sovereigns of gold jewellery from the defacto complainant by making false promise that he will marry her and also had sexual intercourse with her and thereafter cheated her.

3. When the matter came up for hearing on 15.12.2021, this Court granted anticipatory bail to the petitioner with condition that the petitioner without prejudice to his rights, shall deposit a sum of Rs.12,00,000/- (Rupees Twelve Lakhs Only) by way of demand draft drawn in favour of the defacto complainant, within a period of two weeks from the date of receipt of a copy of the said order. Today when the matter is taken up for hearing, the learned counsel for the petitioner



Crl.O.P.No.3464 of 2023

WEB COPY

submitted that due to financial crisis, the petitioner is unable to comply with the order of this Court. Now the petitioner is willing to deposit a sum of Rs.5.00 lakhs within a period that may be stipulated by this Court without prejudice to his claim.

4. Heard the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

5. Considering the facts and circumstances of the case and the petitioner agreed to pay a sum of Rs.5.00 lakhs, 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 before the **learned Additional Mahila Court, Coimbatore** 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



CrI.O.P.No.3464 of 2023

WEB COPY

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.5,00,000/- (Rupees Five lakhs only)** by way of demand draft drawn in favour of the defacto complainant, within a period of two weeks from the date of receipt of a copy of the said order and the challan/receipt of such payment shall be produced at the time of executing the bond;

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks;

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

[e] the petitioner shall not abscond either during



WEB COPY



Crl.O.P.No.3464 of 2023

investigation or trial.

T.V.THAMILSELVI, J.

jai

[f] 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];**

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

20.02.2023

jai

Crl.O.P.No.3464 of 2023