



Crl.O.P.No.3497 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 149, 294(b), 324, 506(ii), 307 of IPC r/w section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.49 of 2023, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioners and the de-facto complainant with regard to money transaction. It is alleged that the petitioners, obtained a sum of Rs.1,00,000/- (Rupees One Lakh only) from the father of the defacto complainant promising that they will get a Government Job to the defacto complainant. But the petitioners have neither returned the money nor allotted any job to the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as



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alleged. He would also submit that the petitioners did not receive any amount from the defacto complainant.

4. The learned Government Advocate (Crl.Side) submits that the dispute is with regard to money transaction for a sum of Rs.1,00,000/- between the petitioners and the defacto complainant. He also submits that the investigation was almost completed. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Additional District Sessions Judge, Magalir Neethi Mandram, Villupuram**, on condition that the petitioners shall execute a



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bond for a sum of **Rs.10,000/- each (Rupees Ten 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 petitioners shall report before the respondent police every Saturday at 10:30 am for a period of four weeks;

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

[d] the petitioners shall not abscond either during investigation or trial;



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[e] 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]**;

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

15.02.2023

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