

**Crl.O.P.No.4005 of 2023**

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T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest for the alleged offence under Sections 406 and 420 of IPC in Cr.No.556 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and co-accused pledged fake jewels in Albion India Nidhi Limited and obtained a loan of Rs.26.99 lakhs. Hence, the complaint

3.The learned counsel appearing for the petitioner submitted that the petitioner is ranked as A3 in this case. He further submitted that he is customer of the Bank. At the request of A1 and A2, he bought gold loan in the said company in his name. Following which, he transferred the borrowed loan to A2 account. However, the learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of **Rs.75,000/- (Rupees Seventy Five Thousand only)** to the credit of the **Crime No.556 of 2022**. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that

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A1 was arrested and A2 was involved in some other cases. He further submitted that a sum of Rs.5,95,688/- was borrowed in the name of the petitioner by A1 and A2 and the investigation is almost completed. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the investigation is almost completed and the petitioner is ready and willing to deposit a sum of **Rs.75,000/- (Rupees Seventy Five Thousand only)** 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 directed to deposit a sum of **Rs.75,000/- (Rupees Seventy Five Thousand only)** to the credit of **Crime No.556 of 2022**, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **Judicial Magistrate Court - I, Tambaram** on condition that the petitioner shall execute a bond for a sum of



Rs.10,000/- (Rupees Ten Thousand only) with two sureties

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(out of which one surety must be blood related surety) 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.75,000/- (Rupees Seventy Five Thousand only)** to the credit of **Crime No.556 of 2022** before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order. On such deposit being made, the defacto complainant is permitted to withdraw the said deposit amount of **Rs.75,000/- (Rupees Seventy Five Thousand only)** by filing the necessary application before the trial Court.

(b) the petitioner shall report before the respondent police every Tuesday at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation.

(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;



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(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory 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.

27.02.2023

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To
The Judicial Magistrate Court - I,
Tambaram

CrI.O.P.No.4005 of 2023