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Crl.O.P.No.4222 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 420, 294(b) and 506 (2) of IPC in Crime No.80 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the prime accused in the case involved in job racketing in which the petitioner /A4 is the husband of A1. Further A1 on a false promise to secure a job in TASMAL, had obtained a sum of Rs.13,00,000/-. Thereafter, cheated the defacto complainant. The total amount involved in this case is Rs.1,14,50,000/-. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. However, on instructions, he further submits that the petitioner, without prejudice to his right, is ready to abide any condition



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imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the prime accused in the case involved in job racketing in which the petitioner /A4 is the husband of A1. He further submits that A1 on a false promise to secure a job in TASMACH, had obtained a sum of Rs.13,00,000/- from the defacto complainant. Thereafter, cheated the defacto complainant. He also submits that the total amount involved in this case is Rs.1,14,50,000/-. He also submits that the petitioner had invested the said amount in various business. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner is a Government servant and there is no possibility of abscondance, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **learned Judicial Magistrate 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 (out of which one surety should be 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 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 is directed to deposit a sum of **Rs.3,00,000/- (Rupees Three Lakhs only)** to the credit of **Crime No.80 of 2023** without prejudice to his rights within a period of three weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[c] the petitioner is directed to appear before the respondent police on alternative days at 05.30 p.m., for a



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period of three months.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 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.

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