

Crl.O.P.No.4451 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Section 420 IPC in Cr.No.11 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners on false promise, to secure job to the defacto complainant's son, in Tamilnadu Electricity Board, had received a sum of Rs.5,00,000/- from the defacto complainant. Thereafter, neither returned the money nor arranged the job. Thereby, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submits that one Ramkumar has collected the money from the defacto complainant and the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The **learned Government Advocate (Crl. side)** submits that the petitioners are ranked as A1, A2 & A3. On giving false promise to secure



job to the defacto complainant's son, in Tamilnadu Electricity Board, had received a sum of Rs.5,00,000/- from the defacto complainant. Thereafter, neither returned the money nor arranged the job. Subsequently, when the defacto complainant questioned the same, a sum of Rs.59,600/- only repaid by the petitioners. Hence, he opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that the petitioners are ready to deposit an amount of Rs.1,00,000/- totally to the credit of the Crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit totally a sum of Rs.1,00,000/- (Rupees one lakh only) to the credit of Crime No.11 of 2022, and on such deposit, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate, Conoor*, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand**



Only) with two sureties out of which one surety shall be a 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to deposit totally a sum of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of Crime No.11 of 2022 and the defacto complainant is permitted to withdraw the said deposit amount of Rs.1,00,000/- on proper identification and acknowledgment;

(c) the first petitioner shall report before the respondent police every Tuesday and Saturday at 10.30 a.m. for a period of eight weeks and thereafter, as and when required for interrogation;

(d) The second and third petitioners shall report before the respondent police as and when required for interrogation.

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;



T.V.THAMILSELVI, J.
mpa

(f)the petitioners 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

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02.03.2023

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