



Crl.O.P.No.5474 of 2023

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A. D. JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC, in Crime No.338 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that the defacto complainant on seeing the advertisement attended the meeting conducted by QNET India and in the said meeting, the petitioner had explained the investment scheme to the defacto complainant. Believing the words of the petitioner, the defacto complainant had invested a sum of Rs.2,50,000/- in the above said company for which he was assured with good returns with profit. Thereafter the petitioner had not received any returns as assured by them. When the same was questioned by the defacto complainant, there was no response from the petitioner. Hence, the defacto complainant preferred a complaint before the respondent police.

3.The learned counsel for the petitioner submit that the petitioner



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is an innocent person. He further submit that the general process employed during meeting conducted by QNET India always makes its previously enrolled investors to explain the entire scheme and investment requirements in detail to the newly interested investors like the defacto complainant. In that manner only the defacto complainant came to know about this petitioner. Apart from that the petitioner has nothing to do with the alleged offence and the defacto complainant had made payments directly to QNET. The petitioner is also an victim of QNET. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner along with other accused persons, cheated the defacto complainant to the tune of Rs.2,50,000/-. The QNET India involved in money laundering activities. He further submitted that if the petitioner is granted anticipatory bail, there will be possibility of tampering the witnesses and hampering the investigation. Thereby, he vehemently opposed the grant of anticipatory bail to the petitioner.



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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent and perused the materials available on record including the FIR and the documents filed along with this petition.

6. Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before **the learned XIII Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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:



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[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 shall report before the respondent Police daily at 10.30 a.m., until further orders.

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

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

[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]*.



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

8. With the above directions, this Criminal Original Petition is
ordered.

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