



CrI.OP.No.5643 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) IPC in Crime No.53 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Rajathi W/o Sriraman, is that her husband died and that she received a phone call from the persons claiming that they are the Insurance agent and stating that her husband's insurance amount of Rs.50,00,000/- was available and they have induced her and collected a sum of Rs.1,45,000/- from her and thereby cheated her. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the main accused in this case has been granted anticipatory bail with a direction to deposit a sum of Rs.50,000/-. Hence, he would seek anticipatory bail for the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioners are also the associates of the first accused. They very well knowing that that the defacto complainant is a widow, cheated her. Hence, he objected to grant anticipatory bail to the petitioners.

5. In reply, Mr.R.Parthiban, the learned counsel for the petitioners would submit that without prejudice to each of the petitioners, they are ready and willing to deposit a sum of Rs.40,000/- each to the credit of Crime No.53 of 2023. Hence, he prays for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel and perused the materials available on record including the documents filed along with the petition.

7. Taking into consideration the facts and the submissions made by the counsel, this Court is inclined to grant anticipatory bail with certain conditions.



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8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of three days from the date on which the order copy made ready, before the ***Judicial magistrate Court No.II, Tiruvallur***, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties, 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 deposit a sum of **Rs.40,000/- (Rupees Forty Thousand only)** each to the credit of **Crime No.53 of 2023**, within a period of three weeks from the date on which the order copy made ready, failing which the anticipatory bail granted by this Court shall stand automatically cancelled.

[c] the petitioners shall report before the respondent police every day at 10.30 a.m until further orders.



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

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[e] the petitioners 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 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]**.

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

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