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CrI.OP.No.5704 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 406 and 420 IPC in Crime No.475 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the accused had induced her in the promise of securing job and had received a sum of Rs.7,00,000/- and cheated him. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. He would further submit that a case of financial dispute has been projected as a case of job racketing. He would further submit that the fact remains that the petitioner has received a sum of Rs.7,00,000/- from the defacto complainant and he has also given a letter of undertaking. He would also submit that pending enquiry, the petitioner has paid a sum of Rs.5,00,000/- to the defacto complainant at the Police station and today, he has handed over a



sum of Rs.2,00,000/- by cash to the power agent of the defacto complainant.

Hence, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (CrI. Side) would submit that as per the complaint, the petitioner along with other accused had cheated the defacto complainant to the tune of Rs.11,00,000/-. He would further submit that earlier there had been a memorandum of understanding between the petitioner and the defacto complainant. Based on the said understanding, the petitioner has paid a sum of Rs.5,00,000/- to the defacto complainant during the time of enquiry in the Police station. He would further submit that today, an amount of Rs.2,00,000/- has been paid to the power agent of the defacto complainant.

5. Mr.Sridhar Raj S/o G.Selvaraj, the power of the defacto complainant is present before this Court and he has been identified by the respondent police and he submitted that he has received a sum of Rs.2,00,000/- today. Totally, the power agent of the defacto complainant has received a sum of Rs.7,00,000/-.



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.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of three days from the date on which the order copy made ready, before the ***Judicial magistrate V, Egmore***, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** 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 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 petitioners shall report before the respondent police as and when required for interrogation.

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[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

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

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