



Crl.O.P.No.6497 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 offence punishable under Section 420 of IPC in Crime No.57 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Kandhaswamy is that the petitioner, who is working as anganvadi employee, had conducted illegal chit and cheated various depositors to the tune of Rs.3,60,000/-. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated as if she had run the illegal chit. He would also submit that the petitioner is ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed by this Court. He would also submit that without prejudice to her defence, the petitioner is prepared/ready and



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willing to deposit a sum of Rs.1,50,000/- to the credit of Crime Number.

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

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner had conducted illegal chit and cheated the the defacto complainant and other depositors to the tune of Rs.3,60,000/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and also the submissions of either sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall make a non-refundable deposit a sum of **Rs.1,50,000/- (Rupees One Lakh Fifty Thousand**



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**only)** to the credit of Crime No.57 of 2023. On such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.III, Cuddalore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 :

[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 everyday at 6.30 p.m., until further orders.**



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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]*; and;

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

**10.04.2023**

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