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Crl.O.P.No.7840 of 2023

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S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 406, 420, 465, 471 and 120 B of IPC, in Crime No.64 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had deposited a sum of Rs.5,00,000/- in the account No.881001307487, on a false promise made by one Manju, the petitioner herein, that she will arrange for a medical seat in Sri Ramachandra Medical College for the defacto complainant's daughter and sent a duplicate receipt for the same through whatsapp to the defacto complainant. When the defacto complainant approached the college, the college denied admission stating that the receipt is a duplicate one. Therefore, the defacto complainant



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approached the petitioner for return of money. When the petitioner had refused to return the money, the defacto complainant lodged a complaint before the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the account number in which the amount was deposited by the defacto complainant does not belong to the petitioner. The account number belongs to the 2nd accused and the petitioner did not acquaint with the 2nd accused. The petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against her. He further submit that the petitioner is ready and willing to deposit Rs.3,00,000/- without prejudice to his case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner in collusion with the 2nd accused had cheated the defacto complainant on false



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promise of getting a medical seat for her daughter in the said college. Therefore, he opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration, the allegation made against the petitioner in the F.I.R. and also the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner deposit a sum of Rs.3,00,000/- to the credit of Crime No.64 of 2023 on the file of XVII Metropolitan Magistrate, Saidapet, Chennai.

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 days from the date on which the order copy made ready,



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before the **learned XVII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute separate bonds 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 shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper the 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



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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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