



Crl.O.P.No.8253 of 2023

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under Sections 420 r/w 34 of IPC in Crime No.54 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Sakthimurugan is that the accused had floated a finance company in the name of Redesh Groups Francise World Private Limited, induced the defacto complainant to invest in the company, promising to give 10% of the returns and received Rs.6 lakhs from him and later, cheated him without repaying the principle amount as well as the interest. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely roped in this case. He would further submit that the petitioner, who was working as HR in the said finance company, was employed by the main accused in the Company



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and the petitioner had worked without understanding the motive of the main accused. He would further submit that the petitioner has also deposited Rs.7 lakhs into the account of the main accused and he is also now cheated by the main accused. He would also submit that the petitioner has no previous case against him. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Pondicherry) appearing for the respondent Police would submit that the petitioner along with other accused had floated a finance company in the name of Redesh Groups Francise World Private Limited, received deposits from the defacto complainant and other victims to the tune of several crores. He would concede that the petitioner was working as a HR Manager in the said Company. He would also submit that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that the petitioner, without prejudice to his defense and contention, is ready and willing to deposit the original title deeds of any immovable property to the



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tune of Rs.5 lakhs either belonging to himself or his friends or his relatives.

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

6.Heard the learned counsel for the petitioner as well as the learned Government Advocate (Pondicherry) and perused the entire materials available on record.

7.Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also taking note of the fact that the petitioner is ready to deposit original title deeds of documents of immovable property worth Rs.5 lakhs at the time of furnishing the sureties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, **the petitioner is directed to deposit the original title deeds of an immovable property not less than the value of Rs.5 lakhs (which stands in the name of the petitioner or his relatives or his friends) to the credit of Crime No.54 of 2023** and on such receipt and on



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receipt of proof of payment, 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, Puducherry, 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 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;



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[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;

**02.06.2023**

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