



Crl.O.P.No.10591 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners who apprehend arrest for the alleged offences under Sections 406 & 420 of IPC and Section 4 (1) & 76 (1) of the Chit Funds Act, 1982 in Cr.No.10 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are running an unregistered Chit. It is the further case that the petitioners had collected money to the tune of Rs.19,00,000/- from the defacto complainant and refused to repay it.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they are innocent persons and they have been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioners, without prejudice to their rights, are ready to deposit the amount of **Rs.10,00,000/-** to the credit of the **Crime**



Crl.O.P.No.10591 of 2023

No.10 of 2023. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submits that the petitioners have swindled a sum of Rs.19,00,000/- from the defacto complainant. Therefore, he prays for the dismissal of the petition.

5. Considering the facts and circumstances of the case and also the fact that the petitioners are ready and willing to deposit a sum of **Rs.10,00,000/-** to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate III, Tiruppur***, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** **each** with two sureties each for a like sum to the satisfaction of the



CrI.O.P.No.10591 of 2023

respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned 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.10,00,000/- to the credit of Crime No.10 of 2023, within a period of two weeks from the date of receipt of a copy of this order. Only on complying with this condition, the petitioners are entitled to the order aforesaid, in default, the order shall automatically stand dismissed.

(c)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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



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CrI.O.P.No.10591 of 2023

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action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

24.05.2023

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To

1.The Judicial Magistrate III,
Tiruppur.

2.The Public Prosecutor
High Court of Madras
Chennai – 600 104.

CrI.O.P.No.10591 of 2023