



Crl.O.P.No.12073 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offence under Section 420 IPC in Cr.No.62 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had conducted an unregistered chit and cheated the defacto complainant to the tune of Rs.5,04,000/- and also cheated hand loan of Rs.1 lakh. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. There was a money transaction between the 1st petitioner and the defacto complainant due to which, a false case has been foisted against the petitioners. He would further submit that the petitioners 2 to 5 are none other than the grand children of the 1st petitioner. He would further submit that without prejudice to their rights and contentions, the 1st petitioner is ready to deposit a sum of



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Rs.50,000/- to the credit of crime number. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose for the grant of anticipatory bail to the petitioners stating that the petitioners under the guise of conducting chit, cheated the defacto complainant to the tune of Rs.5,04,000/- and they also cheated hand loan of Rs.1 lakh.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) and perused the materials available on record including the FIR.

6.Taking note of the facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that the 1st petitioner has come forward to deposit a sum of Rs.50,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the **1st petitioner** is directed deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** to the credit of **Crime No.62 of 2023**, and on such deposit, 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 on which the order copy made ready, before the **learned XXIII Metropolitan Magistrate, Saidapet**, on condition that the petitioners shall execute a separate 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 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 report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation;**



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(c) the final order in respect of the said deposit shall be passed by the trial Court at the time of conclusion of trial;

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

(e) the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

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