



Crl.O.P.No.13205 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 offences punishable under Sections 406, 420, 403, 120(B) IPC, in Crime No.305 of 2022, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused conspired and induced the defacto complainant in the guise of getting a medical seat and cheated her to the tune of Rs.20,00,000/- Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner, other than being stated to be a friend of the main accused has not committed any offence. Therefore, he prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (CrI.Side) for the respondent police would submit that the petitioner along with other accused conspired and induced the defacto complainant in the guise of getting a medical seat, received Rs.20,00,000/- and cheated her. He would submit that during the course of investigation, it came to light that an amount of Rs.10,00,000/- has been transferred to the account of the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that the petitioner and the other accused were involved in financial transaction and an amount of Rs.10,00,000/- has been credited to the account of the petitioner for some other reason. However, he would submit that without prejudice, the petitioner is ready to deposit original title deeds of immovable property worth Rs.5 Lakhs to the credit of Cr.No.305 of 2022 to show his bona fide.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the



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materials available on record, including the F.I.R.

7. Taking into consideration the facts and circumstances of the case and taking note that the petitioner is ready ready to deposit original title deeds of immovable property worth Rs.5 Lakhs to the credit of Cr.No.305 of 2022, within a period of two weeks from the date of receipt of a copy of this order, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, 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.1, Alandur, on condition that each of the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties 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



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condition that:

[a] 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 deposit the original title deed of any immovable property (either belonging to himself, friends or family members) worth about Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.305 of 2022 before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness 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 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]***;

[g] If the accused thereafter abscond, a fresh FIR can be



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registered under Section 229A IPC.

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