



Crl.O.P.No.14005 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 and 506(i) of IPC, in Crime No.381 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. It is stated that the petitioner is running a real estate business in the name of M/s.White Tower Builder. She had received a sum of Rs.2,50,000/- together with 9 sovereigns of jewels from the defacto complainant but however, the petitioner had not purchased the land nor returned back the amount. She had only returned back a sum of Rs.50,000/- and thereby cheated the defacto complainant.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and had not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent stated that the petitioner, in the guise of running a real estate business had received a sum of Rs.2,50,000/- together with 9 sovereigns of golden jewels from the defacto complainant and thereafter, she neither purchased the land nor returned the money. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. 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, before the **Judicial Magistrate, Mettupalayam**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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



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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 everyday at 10.30 a.m., till completion of the investigation.

[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.

[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.

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