



CrI.OP.No.14445 of 2023

CrI.OP.No.14445 of 2023

C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 & 420 IPC, in Crime No.139 of 2023, on the file of the respondent police seek anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) on behalf of the respondent.

3.It is stated that the accused persons had acted as a travel agent and held out that tickets will be booked for Singapore. The defacto complainant wanted 22 tickets to be booked to Singapore, whereas the accused after collecting Rs.3,41,000/-, had produced only three tickets.

4.The learned counsel for the petitioners however stated that, it is the second accused, who had actually misappropriated the amount collected. It is further stated that the first accused has no role since a memorandum of understanding had been entered into between the first and second accused handing over the business to the second accused. It



Crl.OP.No.14445 of 2023

is also stated that the role of the third accused is that he had collected the amount and hand it over to the other accused.

5.Be that as it may, after hearing the learned counsel for the petitioners, the learned counsel representing on behalf of the intervenor and the learned Government Advocate (Crl.Side), keeping the amount payable by the accused open, anticipatory bail is granted to the petitioners herein/A1 & A3 on condition that they jointly deposit **a sum of Rs.1,00,000/- to the credit of the crime No.139 of 2023, pending on the file of the V Metropolitan Magistrate, Egmore, Chennai, within a period of two weeks from the date of receipt of a copy of this order.** **The learned V Metropolitan Magistrate, Egmore, Chennai,** may transfer the said amount in an interest bearing deposit scheme with auto renewal facility, in a nationalised bank and pass final orders on conclusion of the trial.

4.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 on which the order copy made ready, before



Crl.OP.No.14445 of 2023

the **The learned V Metropolitan Magistrate, Egmore, Chennai**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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.1,00,000/-**, jointly, to the credit of the crime No.139 of 2023, pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, within a period of two weeks from the date of receipt of a copy of this order.

[c] the petitioners shall report before the respondent police everyday at 10.00 a.m, till the deposit of the amount and thereafter as and when required.



Crl.OP.No.14445 of 2023

C.V.KARTHIKEYAN, J.

sli

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners 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 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.

20.11.2023

sli

Crl.O.P.No.14445 of 2023