



Crl.O.P.No.15984 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.581 of 2022, registered for an offence under Sections 406, 420 and 120B IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3.The case of the prosecution is that A1/husband of the present petitioner and the de facto complainant were known to each other and were also working together abroad. Thereafter, on the strength of that relationship the 1st accused/husband of the petitioner had borrowed money from the de facto complainant and also borrowed 250 grams of gold jewellery from the brother of the de facto complainant. It is stated that the total amount borrowed was Rs.22,00,000/- The learned counsel for the petitioner also stated that the petitioner was also there at that time. The amount was invested in business by A1 and A1 was cheated by A2 and A3 and there was a huge loss in the business. A1 and A5 had been secured but A2 and A3 are still absconding. There is no direct involvement of the petitioner herein in the record of the business of A1.

4.In view of these circumstance, though the Court had directed that



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the petitioners should a deposit a sum of Rs.5,00,000/- to the credit of Crime number, on 16.10.2023 since it now emanates that the petitioner had no direct role in the business of A1, anticipatory bail is granted to the petitioner.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 **Judicial Magistrate-II, Tambaram, Chennai**, on condition that the petitioner shall execute a 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:55

[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.



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[b] the petitioner to appear before the respondent police **every day at 10.30 a.m.**, until further orders

[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 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];**

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

06.11.2023

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