



Crl.O.P.No.15979 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 120b, 406 and 420 of I.P.C read with Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 in Crime No.7 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant and accused No.5 to 8 are running Sudar Self-Help Society which is a Non-Banking Financial Company. The accused told the de-facto complainant to deposit in the society and she will get more returns. Based on that the de-facto complainant deposit in the society, for all the deposits she received agreement from the respective company and also receipt for every payment. When the de-facto complainant went to pay the next month amount she was shocked that the company was closed and she asked the accused to return the money, but the accused has not repaid yet. Hence the case.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person the he has been falsely implicated in this case.. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that A5 and A7 already arrested and granted bail. A6 is absconding and not complying the conditional order. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, **petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.07 of 2019, on or before 18.09.2023 from the date of receipt of a copy of this order,** the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from



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the date on which the order copy made ready, before the **learned Special Judge, TNPID Court, Chennai**, on condition that the petitioner 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 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 deposit a sum of **Rs.3,00,000/- (Rupees Three lakhs only)** to the credit of **Crime No.07 of 2019**, before the concerned Judge, on or before **18.09.2023** from the date of receipt of a copy of this order;

[c] the petitioner shall report before the respondent Police, everyday at **10.30 a.m.**, until further orders;



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[d] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of the trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

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