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Crl.O.P.No.19079 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 403, 406, 420, 120(B) IPC in Crime No.185 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in October 2021, the *de-facto* complainant went to an interview at NLGC, IT Company at Nungambakkam. At that time, he met the petitioner herein and they both became friends. Later, one Faizan Sherif/friend of the petitioner herein said that he is running a company in the name and style of FV Creations, in which the petitioner herein is a partner and Manager and stated that, he would hire the *de-facto* complainant. At this juncture, on 26.03.2022, the petitioner received a sum of Rs.1,25,000/- from the *de-facto* complainant through G-Pay for arrangement of Work. Thereafter, the petitioner asked to deposit a sum of Rs.1,20,000/- to one Vignesh account No.921010050564089 dated 11.06.2022. Thereafter, the petitioner did not arrange the job



Crl.O.P.No.19079 of 2023

nor returned the money. Hence, the complaint.

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

4. The learned Government Advocate (Crl.side) submitted that petitioner along with co-accused, under the guise of getting a job for the *de-facto* complainant, received a sum of Rs.2,45,000/- from him and failed to secure a job nor returned the money. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the records.

6. Considering the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of Rs.2,45,000/- (Rupees Two Lakhs Forty Five Thousand only) to the credit of Crime No.185 of 2023, within a period of three weeks from the date on which the order copy made ready, and on such



CrI.O.P.No.19079 of 2023

deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned XVII Metropolitan Magistrate, Saidapet**, on condition that 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:

[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 is directed to deposit a sum of Rs.2,45,000/- (Rupees Two Lakhs Forty Five Thousand only) to the credit of Crime No.185 of 2023, within a period of three weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be



CrI.O.P.No.19079 of 2023

passed by the learned trial Judge at conclusion of trial.

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

[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 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]**.

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

04.09.2023

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