



CrI.O.P.No.19185 of 2023

CrI.O.P.No.19185 of 2023

RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 406 & 420 of IPC in Crime No.698 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused is the SSI Police at Coimbatore, who had promised the defacto complainant that she will secure job for the defacto complainant's daughter at Police Department. Believing the words of the 1st accused the defacto complainant has totally paid a sum of Rs.36 lakhs to the 2nd accused as directed by the 1st accused. Thereafter, they have neither secured any job nor returned the money. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that



Crl.O.P.No.19185 of 2023

WEB COPY

without prejudice to his rights and contentions, the petitioner is ready to deposit Rs.10,00,000/- to the credit of Crime. No.698 of 2023. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) appearing for the respondent submitted that the petitioner along with other accused, in order to secure job for the defacto complainant's daughter in Police Department, have received a sum of Rs.36 lakhs and thereafter, they neither secure any job nor return the money. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel for the petitioner, I am inclined to grant interim anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.19185 of 2023

WEB COPY

7. Accordingly, **the petitioner shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakh only) to the credit of Crime No. 698 of 2023 on or before 26.09.2023, if any default in payment of the said amount, the anticipatory bail granted by this Court shall stand automatically cancelled**, and on such deposit and production of proof, the petitioner is ordered to be released on anticipatory 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, Ambattur**, 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 the learned Magistrate concerned. At the time of executing the sureties, **the petitioner shall deposit the original title deeds pertaining to the immovable property not less than the worth of Rs.5 lakh, stands in the name of the petitioner or his relatives or his friends before the concerned Court, and on further conditions that:**



Crl.O.P.No.19185 of 2023

[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.10,00,000/- (Rupees Ten Lakh only) to the credit of Crime No. 698 of 2023 on or before 26.09.2023, if any default in payment of the said amount, the anticipatory bail granted by this Court shall stands automatically cancelled.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not abscond 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 petitioner in accordance with law as if the conditions have been imposed



Crl.O.P.No.19185 of 2023

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]**.

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

12.09.2023

ata



WEB COPY



Crl.O.P.No.19185 of 2023

RMT.TEEKAA RAMAN, J.
ata

Crl.O.P.No.19185 of 2023

12.09.2023