



Crl.O.P.No.23150 of 2022

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T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence punishable under Sections 120B, 420, 406 of IPC and Section 5 of TNPID Act in Crime No.1 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that one Devi/A1 along with her husband deceased Papa Rajendran/A2 and others have collected amount from the defacto complainant and many others for allotment of house plots. Thereafter, neither they returned the above said amount nor allotted the house plots. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He would further submit that they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (CrI.Side) appearing for the respondent police submit that there are totally 11 accused in this case. He would further submit that A1 is the Director of the company, A2 is died and all others are shareholders of the company. He would further submit that A5 to A8 are absconding and they are not co-operating with the investigation. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and the fact that in this case, investigation was completed, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the **learned Chief Judicial Magistrate, Villupuram** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety should be a blood related surety) each for a like sum to the satisfaction of the respondent police or



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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 are directed to report before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.

[c] each of the petitioners shall deposit a sum of Rs.2,00,000/-(Rupees Two Lakhs only) to the credit of Crime No.1 of 2019 within a period of one week from the date of receipt of copy of this order before the concerned Magistrate.

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

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[e] the petitioners 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 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.

01.02.2023

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