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Crl.O.P.No.23531of 2022
and Crl.M.P.No.15301 of 2022

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest for the alleged offence under Sections 417 and 420 of IPC in Cr.No.17 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners alleged to have been collected a sum of Rs.7,00,000/- from the defacto complainant as commission amount claiming to buy a loan of Rs.20,00,000/- from the Bank. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they are innocent persons and they have been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioners, without prejudice to their rights, are ready to deposit the amount of **Rs.4,00,000/- (Rupees Four Lakhs only) each** to the credit of the **Crime No.17 of 2022**. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submitted that the

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petitioners had cheated the defacto complainant by saying the word of desire to buy a loan from Bank. Hence, he vehemently opposed for grant of anticipatory bail to these petitioners.

5. Considering the facts and circumstances of the case and the investigation is almost completed and the petitioners are ready and willing to deposit a sum of **Rs.4,00,000/- (Rupees Four Lakhs only)** **each** to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, each of the petitioner is directed to deposit a sum of **Rs.4,00,000/- (Rupees Four Lakhs only)** to the credit of **Crime No.17 of 2022**, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the ***Judicial Magistrate Court - I, Tiruvallur*** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties



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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) each of the petitioner is directed to deposit a sum of **Rs.4,00,000/- (Rupees Four Lakhs only)** to the credit of **Crime No.17 of 2022** before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order. On such deposit being made, the defacto complainant is permitted to withdraw the said deposit amount of **Rs.12,00,000/- (Rupees Twelve Lakhs only)** by filing the necessary application before the trial Court.

(b) the petitioners one and two are directed to report before the respondent police every Wednesday at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation.

(c) the third petitioner is directed to report before the respondent police as and when required for interrogation

(d) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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(e) the petitioners shall not tamper with evidence or



witness either during investigation or trial;

(f) the petitioners 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 anticipatory 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]***; and;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. Post the matter for “reporting compliance” on 24.02.2023.

02.02.2023

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To
The Judicial Magistrate Court - I,
Tiruvallur.

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