



Crl.OP.No.20591 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A3 and A4 in Crime No.228 of 2023 registered under Section 420 IPC, seek anticipatory bail.

2.It is the case of the prosecution that A1, who is the father of the 1st petitioner herein/A3 is running a business in the name of well tax to run cloth showroom and advertised in Tamil newspapers and televisions. He had demanded from the de facto complainant a sum of Rs.15/-lakhs for every showroom and stated that he would put up the interior work and open the showroom in the name of the Company. It had also been stated that in this manner, as on date the respondent had received complaints from four separate persons about money being lost to a total extent of Rs.60/- lakhs. It is stated that A1 and A2 had been arrested and granted bail.

3.The learned counsel for the petitioners stated that the petitioners herein are the daughter and son-in-law and are not directly connected with the business. At any rate to show bonafide, learned counsel stated that both the petitioners herein/A3 and A4 will individually deposit a sum of Rs.10/- lakhs each to the credit of Crime No.228 of 2023. In view of the fact that A1



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and A2 had been granted bail and the aforementioned undertaking given by the learned counsel for the petitioners, anticipatory bail is granted.

4.In view of the above, anticipatory bail is granted to the petitioners with a condition that each of the two petitioners should deposit a sum of Rs.10,00,000/- to the credit of Crime No.228 of 2023, before the Judicial Magistrate No.III, Erode. The learned Judicial Magistrate No.III, Erode must transfer the said amount to the interest bearing fixed deposit amount and final orders are to be passed on conclusion of trial.

5.Taking into consideration the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.III, Erode**, on condition that each of 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



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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 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] Each of the two petitioners should deposit a sum of **Rs.10,00,000/- to the credit of Crime No.228 of 2023**, before the learned **Judicial Magistrate No.III, Erode**. The learned Judicial Magistrate No.III, Erode must transfer the said amount to the interest bearing fixed deposit amount and final orders are to be passed on conclusion of trial and the petitioners are also directed **to appear before the respondent every day at 10.30 am.**, for a period of **two weeks** and thereafter as and when required.

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

[d] the petitioners shall not abscond either during investigation or trial.



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[e] 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]**.

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

08.11.2023

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