



Crl.O.P.No.25180 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B) and 420 of IPC, in Crime No.67 of 2018, seeks anticipatory bail.

2. Totally there are ten accused in this case and the petitioner herein is arrayed as A2. The case of the prosecution is that the petitioner along with other accused on the promise of getting Government job received a sum of Rs.14 lakhs from the defacto complainant. They neither got the job nor repaid the money to the defacto complainant. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner has not received any amount and she has been falsely implicated in this case. He also stated that the petitioner was not involved in the alleged offence and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner along with other accused had obtained to the tune of Rs.18,00,000/- from the defacto complainant on the promise of getting job and a sum of Rs.1 lakh has been received by the petitioner and there are several complaints against the petitioner and other accused. Hence, he vehemently opposed to grant anticipatory bail to the



petitioner.

5. At this juncture, the learned counsel for the petitioner, on instructions, submitted that without prejudice to the rights, the petitioner is ready to deposit the amount of Rs.1,00,000/- to the credit of the crime number. Hence, he prays for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also taking note of the fact that the petitioner is volunteered to pay a sum of Rs.1 lakh to the credit of the Crime No.67 of 2018, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on 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 **learned Judicial Magistrate Court No.II, Bhavani**, on condition that the petitioner shall



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 shall deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.67 of 2018 before the learned Judicial Magistrate Court No.II, Bhavani, within a period of two weeks from the date of receipt of a copy of this order and on such deposit the said amount may be disbursed to the de-facto complainant, within a period of two weeks thereafter;

[b] 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;

[c] the petitioner shall report before the Central Crime Branch, Salem daily at 10.30 a.m, until further orders;

[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



T.V.THAMILSELVI, J.

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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]**;

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

19.01.2023

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