



Crl.O.P.No.21800 of 2023

Crl.O.P.No.21800 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioners / A1 and A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 417 and 420 IPC in Crime No.3 of 2023, seek anticipatory bail.

2.It is the case of the prosecution that the defacto complainant had lodged a complaint stating that the petitioners have received a sum of Rs.71,00,000/- from the defacto complainant stating that they will provide sub-dealership of BSNL Tower Maintenance work and Diesel Filling work. They did not provide the sub-dealership and repaid only a part of the amount. It is stated that still there is balance of Rs.63,90,000/-.

3.The learned counsel for the petitioner stated that, to show bonafide, the petitioner would deposit the title deeds of the father of the 1st petitioner for a property, which according to him, is worth about Rs.25,00,000/-.

4.In view of that particular offer made, this Court is inclined to grant anticipatory bail to the petitioners, however, directing the petitioners to deposit title deeds of property of not less than



Crl.O.P.No.21800 of 2023

Rs.30,00,000/- to the credit of Crime No.3 of 2023. On such deposit, the learned Judicial Magistrate No.I, Perambalur, may test the title of the property, which according to the learned counsel stands in the name of the father of the 1st petitioner and also the value of the property.

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.I, Perambalur, on condition that each one 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 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



Crl.O.P.No.21800 of 2023

and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[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.

[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.

12.12.2023

smv



WEB COPY



Crl.O.P.No.21800 of 2023

C.V.KARTHIKEYAN, J.

smv

Crl.O.P.No.21800 of 2023

12.12.2023