

**Crl.O.P.No.26957 of 2022****WEB COPY T.V.THAMILSELVI, J.**

The petitioner who apprehends arrest for the alleged offence under Section 420 of IPC in Cr.No.188 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and one Noorullah teamed up and cheated the defacto complainant by getting Rs.22,00,000/- for the post of Assistant Engineer in Tamil Nadu Electricity Board. Thereby, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he is an innocent person and he has been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of the **Crime No.188 of 2022**. Hence, he prays for grant of anticipatory bail to the petitioner.



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

the petitioner and one Noorullah had received the money from the defacto complainant by way of online. He further submits that when the defacto complainant asked to return the money, petitioner abused the defacto complainant in an unparliamentary words and threatened him with dire consequences. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the investigation is almost completed and the petitioner is ready and willing to deposit a sum of Rs.1,00,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of **Crime No.188 of 2022**, within a period of three weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before



the *Metropolitan Magistrate Court No.5, Egmore, Chennai* on

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condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (one surety must be a blood related surety) 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 Cr.No.188 of 2022 before the Hon'ble Metropolitan Magistrate, Court No.5, Egmore, Chennai within a period of three weeks from the date on which, the order copy was made ready.

[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 is directed to appear before the respondent police daily for a period of two months and thereafter, as and when required for interrogation. .



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[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 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.

12.01.2023

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To
The Metropolitan Magistrate,
Court No.5,
Egmore,
Chennai.

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