



Crl.O.P.No.22390 of 2023

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**RMT.TEEKAA RAMAN,J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 120-B, 420, 468, 471 & 506(i) of IPC, in Crime No.162 of 2019, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were alleged to have cheated the public by assuring them that they will get Government job and received totally a sum of Rs.18 lakh from them. Thereafter, they neither secure any job nor return the money. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that; earlier, the petitioner was granted anticipatory bail by the Principal District and Sessions Judge, Erode District, in Crl.M.P.No.1611 of 2023 dated 17.05.2023 wherein, the



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petitioner was directed to deposit a original title deed of a property worth not less than Rs.25,00,000/- (Rupees Twenty Five Lakh only) to the credit of Crime No.162 of 2019. However, the petitioner could not comply with the condition. Thereafter, he has filed a petition to extend the time to comply with the condition and the same was ordered and thereafter, he has filed a modification petition and the same has been dismissed. He would further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused, in order to secure Government Job, have received a sum of Rs.18,00,000/- from the defacto complainant and various persons and failed to secure any job and refused to return the money and thereby they have cheated the public. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels and also taking note of the fact that the petitioner is ready to deposit original title deeds of documents of immovable property worth of Rs.15 lakh at the time of furnishing the sureties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, **the petitioner is directed to deposit the original title deeds of an immovable property not less than the value of Rs.15 lakhs (standing in the name of the petitioner or his relatives or his friends) to the credit of Crime No.162 of 2019**, without prejudice to his rights and contentions before the Trial Court and on such deposit, the petitioner is ordered to be released on bail on his executing a 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 **Judicial Magistrate No.II**,



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**Erode**, and on further conditions that :

[a] 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 respondent police daily at 10.30 a.m., until further orders

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

29.09.2023

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