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Crl.O.P.No.28522 of 2022
and Crl.M.P.No.18239 of 2022

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offence under Sections 406 and 420 of IPC in Cr.No.798 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/sole accused, alleged to have been collected a sum of Rs.2,00,000/- each from the defacto complainant and her friend for getting a job in M/s.Happy Future Multi Purpose Co-operative Society Ltd. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she is an innocent person and she has been falsely implicated in this case. The learned counsel, on instructions, would



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further submit that the petitioner, without prejudice to her rights, is ready to deposit the amount of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of the **Crime No. 798 of 2022**. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl.Side) submitted that the petitioner had received the money from the defacto complainant by way of cash and cheated the defacto complainant. 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. Consequently, the connected miscellaneous petition is closed.

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.798**



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of 2022, within a period of two 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 her appearance, before the ***Judicial Magistrate II, Poonamallee***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties (one must be 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 is directed to deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of **Crime No.798 of 2022** before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order. On such deposit being made, the defacto complainant is permitted to withdraw the said deposit amount of Rs.1,00,000/- on proper identification acknowledgment and affidavit to repay the same whenever the Court directs.

(b)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar



card or Bank pass Book to ensure their identity;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

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(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

12.01.2023

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To
The Judicial Magistrate II,
Poonamallee.



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