



Crl.O.P.No.24317 of 2023

Crl.O.P.No.24317 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A13 seeks anticipatory bail in Crime No.7 of 2019 registered by the respondent Police for the offences under Sections 420, 406 IPC r/w 120B IPC and Section 5 of TNPID Act with respect to an occurrence which took place on 31.10.2019.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3.The learned counsel for the petitioner stated that the petitioner is shown as 13th accused. It is stated that in the FIR, there are no allegations as against the petitioner herein. The petitioner is only an agent and had no role in collection of money or participation in the business of the other accused.

4.The status report had been filed, wherein it had been stated that the accused persons had started Sudra Self Help Society and collected money from various depositors. It is stated that the respondent have received 375 complaints and the total collection was Rs.51,17,780/-. There are 15 accused.



CrI.O.P.No.24317 of 2023

Most of them had got benefit of bail or anticipatory bail but on condition to deposit either Rs.2/-lakhs or Rs.3/-lakhs.

5.Taking into consideration of all the factors, this Court is inclined to grant anticipatory bail to the petitioner with a condition to deposit a sum of Rs.2/-lakhs to the credit of Crime No.7 of 2019 before the learned Special Judge (TNPID Act), Chennai.

6. 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 Special Judge (TNPID Act), Chennai**, on condition that the petitioner shall execute 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 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety



Crl.O.P.No.24317 of 2023

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

[b] the petitioner shall deposit a sum of Rs.2,00,000/- to the credit of Crime No.7 of 2019 before the learned Special Judge (TNPID Act), Chennai and the learned Magistrate may transfer the amount to any interest bearing deposit and pass final orders on conclusion of trial. If the accused is acquitted the amount together with interest may be handed over to them. If the accused is convicted, the amount together with interest may be handed over to the defacto complainant. Payment of this amount will not amount to admission of guilt of the petitioner.

[c] the petitioner shall report before the respondent police once in a week at 10.00.a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[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



WEB COPY



Crl.O.P.No.24317 of 2023

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;

28.11.2023

gd



WEB COPY



Crl.O.P.No.24317 of 2023

C.V.KARTHIKEYAN, J.

gd

Crl.O.P.No.24317 of 2023

28.11.2023