



Crl.O.P.No.24240 of 2023

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C.V.KARTHIKEYAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of Indian Penal Code in Crime No. 338 of 2022, seek anticipatory bail.

2. It is stated that the petitioners are the accused Nos. 2 and 3. The first accused is said to have been arranged a meeting of prospective depositors and had stated that if each one of them have deposit a sum of Rs.2,50,000/-, they would get double the amount and also a diamond ear ring and in that manner, 50 people had participated.

3. The allegation against the petitioners is that they canvassed for the 50 people to attend the said meeting.

4. It is stated by the learned Government Advocate (Crl. Side) that the collected amount was directly transferred to a company called M/s. Qnet which is based in Hongkong. It is stated that there is a separate criminal case pending as against that particular company for receiving the amounts and not repaying the same. In so far as the present Crime No. 338 of 2022 is concerned, the first accused had been granted anticipatory bail by a learned Single Judge of this Court on 15.03.2023. The learned counsel places strong reliance on the said order and claims that the role of the petitioners are only canvassed people to participate in the meeting.



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5. Taking all these facts into consideration, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 XIII Metropolitan Magistrate, Egmore, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court 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 and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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.

02.11.2023

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