



Crl.O.P.No.24262 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.44 of 2020 registered by the respondent Police for the offences under Sections 468, 471, 420, 506(1) IPC.

2. The learned counsel for the petitioner stated that he has been falsely implicated as an accused in this case. He is innocent. Thus, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal side) states that the 1st accused who had been taken into custody and subsequently granted bail, had cheated the defacto complainant, on the promise to sell 20 acres of his land to the defacto complainant and also received a sum of Rs.70,00,000/-. The 1st accused neither repaid the money nor sold the land to him. The defacto complainant approached the present petitioner and sought help to recover the money from the 1st accused. Thus, he opposed grant of bail to the petitioner.



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4. The only allegation is that the petitioner had received a sum of Rs.10,00,000/- to assist the defacto complainant to recover the money from the 1st accused. Taking into consideration the facts that the entire incident took place in the year 2006 and the first information report was registered only in the year 2020 and that the 1st accused was secured in the year 2022 and granted bail, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 Judicial Magistrate, Gingee**, 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



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

[b] the petitioner shall report before the respondent Police, daily at 10.00 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 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;

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