



WEB COPY



CrI.O.P.No.24958 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC in Crime No.185 of 2023, seek anticipatory bail.

2.It is the case of the prosecution that the 1st accused had spoken to the father of the one of the prospective applicant for B.Tech Engineering course at VIT College and promised seat on payment of consideration. It is stated that the accused herein had received a total sum of Rs.5.5 Lakhs.

3.However, one factor which can be taken into consideration is that the petitioners had returned back a sum of Rs.3,20,000/- to the defacto complainant. Further, the matter will have to be examined during the course of trial, but since the petitioners have exhibited bonafide, anticipatory bail is granted to the petitioners herein with certain conditions.

4. Accordingly, the petitioners are ordered to be released on bail in



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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 XIV Metropolitan Magistrate, Egmore, on condition that each one of the petitioner shall execute a separate 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 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 3rd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation and the 1st and 2nd petitioners shall report before the respondent police weekly once i.e., on every Monday 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



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witness either during investigation or trial.

[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.

16.11.2023

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