



Crl.O.P.No.26775 of 2023

C.V.KARTHIKEYAN, J.

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The petitioners/A1&A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420 and 34 of I.P.C, in Crime No.16 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners herein are father and son. The de-facto complainant is the Principal of Pallavaram Paramacy College at Kancheepuram. The petitioners are running another college at Vandavasi. The de-facto complainant and her husband were lived to invest in the college at Vandavasi and it is stated that accordingly they had invested a sum of Rs.37 lakhs. A bond was obtained at that particular time from the petitioners. It is also stated that about a sum of Rs.20 lakhs had been returned back in cash. Hence the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Judicial Magistrate No.I, Kancheepuram**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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.



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[b] the petitioners are directed to deposit the title deeds to any property to the value of Rs.20 lakhs. The learned Judicial Magistrate No.I, Kancheepuram may examine the title deeds and also obtain the value of the property;

[c] the petitioners shall report before the respondent Police, on everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required;

[c] the petitioners shall not tamper with evidence or 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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