



Crl.OP.No.27356 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner in Crime No.268 of 2023, registered under Sections 120(b) and 420 IPC, seeks anticipatory bail.

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

3.It is the case of the prosecution that the petitioner herein had promised a job in TNPSC and had collected a sum of Rs.7,00,000/- from the de facto complainant and had repaid a sum of Rs.70,000/-. However, the learned counsel for the petitioner states that the petitioner had received a sum of Rs.2,60,000/- and had paid a sum of Rs.50,000/-. The learned counsel states that the petitioner would deposit the balance Rs.2,10,000/-, to the credit of crime number. Let me not enter into the discussion of the quantum of amount received. But, it is a fact established that amount was actually received. Leaving the issue at that, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 **XVII Metropolitan Magistrate Court, Saidapet, 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 bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the **petitioner** to appear **before the respondent police every day at 10.30 a.m, for a period of three weeks** and thereafter **as and when required** for interrogation.

Additionally, **the petitioner is** directed to **deposit a sum of Rs.2,10,000/-** to the credit of **Crime No.268 of 2023**, on or before **12.01.2024**, and on such deposit, **the learned XVII Metropolitan Magistrate Court, Saidapet, Chennai**, may hand over the said amount to the **de facto complainant** under proper acknowledgment.



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[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 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;

18.12.2023

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