



Crl.O.P.No.28371 of 2023

Crl.O.P.No.28371 of 2023

C.V.KARTHIKEYAN, J.

The Petitioner seeks anticipatory bail in Crime No.214 of 2023 registered by the Respondent Police for the offences under Sections 406 and 420 IPC.

2. It is the case of the prosecution that the Petitioner herein had received a sum of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand only) as cash from the defacto complainant promising a Government job for the son of the defacto complainant. Neither the amount was returned nor the job was secured.

3. The learned counsel for the Petitioner however stated that the defacto complainant was running a chit and the Petitioner herein is also a member and in the course of the said transaction, there was a dispute owing to which, the false complaint had been lodged.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the**



Crl.O.P.No.28371 of 2023

Petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.214 of 2023 before the learned V Metropolitan Magistrate, Egmore, Chennai on or before 12.01.2024 and on such deposit, the learned V Metropolitan Magistrate, Egmore, Chennai may transfer it to the interest bearing Fixed Deposit in a Nationalized Bank and on conclusion of trial, if the petitioner is convicted, then hand over the said amount of Rs.1,00,000/- together with accrued interest to the defacto complainant and if the petitioner is acquitted, then the entire amount in the Fixed Deposit together with accrued interest may be returned back to the petitioner herein.

Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the V Metropolitan Magistrate, Egmore, 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:



Crl.O.P.No.28371 of 2023

WEB COPY

[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 shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.214 of 2023 before the learned V Metropolitan Magistrate, Egmore, Chennai on or before 12.01.2024 and on such deposit, the learned V Metropolitan Magistrate, Egmore, Chennai may transfer it to the interest bearing Fixed Deposit in a Nationalized Bank and on conclusion of trial, if the petitioner is convicted, then hand over the said amount of Rs.1,00,000/- together with accrued interest to the defacto complainant and if the petitioner is acquitted, then the entire amount in the Fixed Deposit together with accrued interest may be returned back to the petitioner herein.

[c] the petitioner shall report before the Respondent Police once in a week i.e., on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for the interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.28371 of 2023

WEB COPY

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

20.12.2023

mkn2



WEB COPY



CrI.O.P.No.28371 of 2023

C.V.KARTHIKEYAN, J.

mkn2

CrI.O.P.No.28371 of 2023

20.12.2023