



Crl.O.P.No.3569 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.458 of 2022, registered by the respondent police for the offences punishable under Sections 420, 294(b) and 506(i) of IPC.

2. The earlier application seeking anticipatory bail was dismissed as withdrawn by an order dated 21.08.2023 in Crl.O.P.No.17938 of 2023.

3. It is the case of the prosecution that the petitioner, former Secretary of Agricultural Credit Cooperative Union, Karadi, Villupuram District had received a sum of Rs.5/- lakhs from the defacto complainant promising post of Salesman for the son-in-law of the defacto complainant. However, the post had not been given and the amount had not been returned. This necessitated lodging of complaint and registration of FIR.



4. It is stated that the amount had settled back to the defacto complainant.

5.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on anticipatory 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, Thirukovilur, Villupuram District**, on condition that the petitioner shall execute a 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 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.458 of 2022 before the learned Judicial Magistrate, Thirukovilur, Villupuram District. On such deposit, the learned Judicial Magistrate, Thirukovilur, Villupuram District, may transfer the said amount to an interest earning Fixed Deposit in anyone of the Nationalised Bank. If the said petitioner is acquitted, the amount may be handed over to the petitioner. If the petitioner is convicted, the amount may be handed over to the defacto complainant.

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

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



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[f] 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 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.

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