



Crl.O.P.No.3753 of 2023

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and Crl.MP.No.19327 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 465, 468 & 420 of IPC in Crime No.370 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and her husband running a Construction business in the name of Ashok Builders. They cheated the defacto complainant to the tune of Rs.19,00,000/- under the guise of buying the House at Pallikaranai. Hence, the case.

3. Earlier, this Court vide order dated 24.02.2023 directed the petitioner to produce a Demand Draft for a sum of Rs.4,00,000/- to the defacto complainant. On 28.02.2023, this Court granted interim anticipatory bail to the petitioner and at the request of the learned counsel for the Intervener, this Court referred the matter to Mediation for an amicable settlement.

4. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that as per the direction of this Court, earlier the petitioner had paid a sum of Rs.1,10,000/- in favour of the defacto complainant and



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on 05.07.2024, the petitioner had also paid Rs.1,40,000/- through Demand Draft and the remaining balance amount of Rs.1,50,000/- was paid through Demand Draft to the defacto complainant today. Accordingly, the husband of the defacto complainant also appeared in person before this Court and received the balance amount of Rs.1,50,000/- through Demand Draft.

5. In view of the above, the compliance is hereby recorded and the interim anticipatory bail already granted by this Court to the petitioner on 28.02.2023 is made absolute with certain conditions.

6. 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 No.II, Saidapet**, on condition that the petitioner shall execute separate bond each 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 stands dismissed and on further condition that :

[a] the petitioner and the sureties shall affix their



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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 report before the respondent Police as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

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

7. Consequently, connected miscellaneous petition is closed.

26.07.2024



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