



CrI.O.P.No.5047 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420 and 506(i) of IPC in Crime No.47 of 2024, seeks anticipatory bail.

2. It is stated that the petitioner had claimed that he belongs to a political party and had received a sum of Rs.5/- lakhs from the defacto complainant on 11.01.2017 and had promised to get a Government job. He neither returned back the amount nor got the job. It is stated that he paid back only Rs.1/-lakh.

3. The learned counsel for the petitioner would submit that separate proceedings under Section 138 of the NI Act are pending. However, to express bona fide, the learned counsel for the petitioner would submit that the petitioner would deposit a sum of Rs.3,80,000/- to the credit of Cr.No. 437 of 2024.

4. In view of these particular statement, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial



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Magistrate No.II, Salem, 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 shall report before the respondent police daily at 10.30 a.m., for a period of the three weeks and thereafter as and when required.

[c] the petitioner shall deposit a sum of Rs.3,80,000/- to the credit of Cr.No. 47 of 2024 and on such deposit, the learned Judicial Magistrate No.II, Salem, may hand it over to a sum of Rs.2/- lakhs to the defacto complainant and retain a sum of Rs.1,80,000/- to be deposited in the fixed deposit and pass final orders at the time of passing Judgment in the case. Time to deposit a sum of Rs.3,80,000/- is till 19.04.2024.



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[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.

[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.

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