



Crl.O.P.No.6000 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offence under Sections 420, 465, 468, 471 IPC r/w Section 33 and 66C of the Information Technology Act, 2000 in Cr.No.01 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has obtained Central Government subsidy from the Prime Minister Kisan Yojana by submitting fake pattas and village adangals. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that he is an agriculturist and his name was abused by other accused. He further submits that he created a user I.D and password for the account with a commission of Rs.25,000/- with other accused. He further submits that he is



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ready to abide by any conditions that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent would submit that there are totally 10 accused in this case and all are arrested and released on bail. He further submits that the petitioner herein is not arrayed as an accused in this case. He further submits that the petitioners created the secret user ID and password of the PM kisan portal and misappropriated a sum of Rs.3 crores. He further submits that the investigation is still pending. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by both counsel, this Court is inclined to grant interim anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.2, Thiruvallur**, 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 Court concerned 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 on every Tuesday and Saturday at 10.30 a.m., for a period of eight weeks;

(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



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action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail

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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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.04.2024

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