



Crl.O.P.No.8783 of 2024

WEB COPY

Crl.O.P.No.8783 of 2024

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 read with Section 120(B) of IPC and Section 5 of TNPID Act, in Crime No.9 of 2009 in [C.C.No.3](#) of 2024 on the file of Special Court, TNPID Act,, at Chennai, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons have received money from the defacto complainant and thereafter, cheated him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is not director of the Company and he has not received any money from the defacto complainant. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are 23 accused persons



Crl.O.P.No.8783 of 2024

involved in this case and the investigation has been completed and charge sheet has also been filed. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the charge sheet has also been filed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 is made ready, before **the Special Court, TNPID Act, Chennai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **one must be a blood surety**, 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



WEB COPY



Crl.O.P.No.8783 of 2024

respondent police on every Saturday at 10.30 a.m., for a period of 4 months and also appear before the trial Court on all hearing dates, without fail.

[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 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

15.04.2024

msrm



WEB COPY



Crl.O.P.No.8783 of 2024

T.V.THAMILSELVI,J.

msrm

Crl.O.P.No.8783 of 2024

15.04.2024