



Crl.O.P.No.8970 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 420 and 506(i) of IPC in Crime No.160 of 2024 on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that A1 represented that she will avail gold coins for low price and received a sum of Rs.1,02,31,700/- (Rupees One Crore Two Lakhs Thirty Thousand and Seven Hundred Only) from 05.12.2022 to December 2023. A1 through other accused received amounts on various dates now failed to give gold coins and accused also not returned the money. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that they are law abiding citizens. They are innocent persons and have not committed any offence as alleged by the respondent police. They are hailing from a very respectable family and have no bad antecedents. The petitioners undertake to abide by any conditions that may be imposed on him upon due enlargement on bail. They are ready to furnish substantial sureties for their due release on anticipatory bail. Hence, the learned counsel prays to grant



anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioners. A1 was arrested by the respondent police. Other accused are the relatives of A1. No amount was recovered from the accused.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are directed to be released on 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 District Munsif - cum - Judicial Magistrate, Ranipet, 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 the petitioner, 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 petitioners 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 petitioners are directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) each to the credit of Crime No.160 of 2024, before the concerned Magistrate within a period of two weeks from the date on which the order copy made ready and on such deposit, the defacto complainant is permitted to withdraw the said amount on filing undertaking affidavit and proper identification and acknowledgment;

(c) the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial;

(d) the petitioners shall appear before the respondent police on every Tuesday and Saturday at 10.30 a.m., until further orders;

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Magistrate/



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Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

13.06.2024

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