



Crl.O.P.No.10198 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A3 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(ii) of IPC in Crime No.268 of 2023, seeks anticipatory bail.

2.It is stated that the accused had received a sum of Rs.4,60,000/- from the defacto complainant promising Government job for the disabled son of the defacto complainant. It is stated that the first accused received the money in the presence of the accused Nos.2 and 3 and handed over the money to the second accused. It is also stated that the accused Nos.1 and 2 were already under custody with respect to another case and therefore, were taken custody in this crime number under PT warrant.

3.The earlier application seeking anticipatory bail filed by the petitioner was dismissed by this Court on 13.02.2024 in Crl.O.P.No.2986 of 2024. The change in circumstance is that A1 and A2 who had been arrested, had been released on bail.



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4. Taking into consideration all the factors into consideration and there has been some substantial progress in the investigation, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.268 of 2023 before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order** and on such receipt and receipt of proof of payment, 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 learned Judicial Magistrate, Chengalpattu, on condition that petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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:



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[a]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 everyday at 10.30 a.m., until further orders.

© the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of crime No.268 of 2023 before the Judicial Magistrate, Chengalpattu. On such deposit, the learned Magistrate, shall hand over the said amount of Rs.50,000/- to the defacto complainant.

(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



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in *P.K.Shaji Vs.State of Kerala [(2005)AIR SCW5560]*;
and;

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

26.04.2024

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