



CrI.O.P.No.10746 of 2024

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**T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 120-B, 406 and 420 IPC in Crime No.164 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as if he colluded with the bank manager and misappropriated the amount belongs to the defacto complainant's father. He further submits that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

3.Learned counsel for the intervenor raised objections stating that, accused had transferred the amount belongs to his father to this petitioner and others. This petitioner received Rs.2,00,000/- on two occasions, which is totally Rs.4,00,000/-. Thus, he prays for dismissal of this petition.



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4. In reply, learned counsel for the petitioner submitted that, the bank manager not only cheated the defacto complainant, but also this petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that he colluded with the bank manager and misappropriated the amount belonged to the defacto complainant's father. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate III, Coimbatore***, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two



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sureties, **(out of which, one surety must be blood surety)** 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 and on further condition that:

**(a) petitioner is directed to deposit a sum of Rs.2,00,000/- to the credit of Crime No.164 of 2024 before the concerned Magistrate within a period of two weeks from the date of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;**

(b)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;

**[c] the petitioner shall report before the respondent police every Saturday at 10.30 a.m, for a period of eight weeks;**

[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;

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[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 has been imposed and the petitioner is 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]***; and;

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

**18.06.2024**

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