



Crl.O.P.No.12261 of 2024

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C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120 B, 420 and 506(ii) of IPC in Crime No.229 of 2024, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the materials available on record.

3. It is the case of the de facto complainant that the petitioner, who was working as a contract worker in the Southern Railways, along with other accused received a sum of Rs.5,41,000/- from him agreeing to get employment in Southern Railways and cheated him.

4. Considering the facts and the submissions made by the learned counsel on either side and the nature of the allegation against the petitioner, this Court is inclined to grant anticipatory bail subject to the condition that the petitioner has to deposit a sum of Rs.3 lakhs to the credit of crime number, without prejudice to his defence.



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5. Accordingly, the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees three lakhs only) to the credit of Crime No.229 of 2024 and on such deposit, 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 learned District Munsif cum Judicial Magistrate, Uthukuli, 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 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 as and when required for interrogation;

[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;



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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

6. It is made clear that the learned Magistrate shall disburse the amount deposited by the petitioner to the de facto complainant if the allegations in Crime No.229 of 2024 are found to be true.

23.05.2024

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