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Crl.O.P.No.12446 of 2024

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C.SARAVANAN, J.

The petitioner / A2 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 120(B), 506(i) of IPC in Crime No.240 of 2024, seeks anticipatory bail.

2. The case of the defacto complainant appears to be that the petitioner and also the 1st accused have obtained a sum of Rs.16,70,000/- as commission from the defacto complainant on the pretext of getting loan for the defacto complainant but have failed to obtain the loan. Hence, the complaint has been registered.

3. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) would submit that the



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petitioner is reportedly absconding and is not available for giving the statements with respect to the alleged offence in Crime No.240 of 2024. She would however submit that unless the petitioner and the 1st accused are present before them for investigation, the case will not proceed further and there will be delay in filing the final report.

5. Having considered the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Crl. Side), this Court is inclined to grant anticipatory bail to the petitioner subject to a condition that the petitioner has to deposit a sum of Rs.5,00,000/- to the credit of crime No.240 of 2024.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of crime No.240 of 2024 and on production of proof for the same, 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 Judicial Magistrate – I, Arakkonam, and on the 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



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dismissed and on further condition that:

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[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 twice a week i.e., on Monday and Wednesday at 10.30 a.m., for a period of four weeks and thereafter, 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;

[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.

24.05.2024

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