



Crl.O.P.No.12506 of 2024

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T.V.THAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 120B and 420 of IPC in Crime No.180 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is B.Sc graduate and wanted to join in a Government post. The A3 in this case is well known person to the defacto complainant and she informed that she knows persons in Collector Office and she can get Government job for him. Believing the words of the A3, the defacto complainant gave Rs.1,50,000/- to A1 and the petitioner, but, till date, the petitioner neither gave a Government job nor repay the money to the defacto complainant and thereby, cheated him. Hence the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He



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further submits that he was not involved in the act of job racketing as alleged in the FIR. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that there are totally 3 accused in this case and that the petitioner is ranked as A2. The allegation against the petitioner is that he was acted as an agent, to collect the amount. He further submits that A1 and A3 in this case was already arrested and subsequently, released on bail. Hence, he opposed to grant anticipatory bail to the petitioner.

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

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

7. Accordingly, the petitioner is ordered to be released on anticipatory 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, Sirkazhi, Mayiladuthurai District**, on



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condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each **[Out of which, one surety must be a blood related 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] the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.180 of 2024, before the learned Judicial Magistrate, Sirkazhi, Mayiladuthurai District, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below and on such deposit, the victim is permitted to withdraw the said amount, on filing an "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, on every Wednesday at 10.30 a.m., for a period of three months and thereafter, as and when



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required for interrogation;

[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 has been imposed and the petitioner are released on anticipatory 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;

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