



Crl.O.P.No.12915 of 2024

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WEB C T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 406, 420, 120B, 468 and 471 IPC and 7(1) of State Emblem of India (Prohibition of Improper Use) Act, 2005 in Crime No.189 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner is arrayed as A2. She along with other accused gave false promise that they would get loan in Tripati Thevasnanam for lower interest, by submitting forged ID proof and collected the amount to the tune of Rs.4,00,000/- from the defacto complainant. However, it is now informed that, the entire amount has been returned to the defacto complainant. Hence, he vehemently opposed for the grant of anticipatory bail to the



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4.Taking into consideration the facts of the case and the submissions made by the learned counsels and the fact that the petitioner returned the amount of Rs.4,00,000/- to the defacto complainant, this Court is inclined to grant anticipatory bail with certain conditions.

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

[b] the petitioner shall report before the respondent police alternative days at 10.30 a.m, for a period of 8 weeks;



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[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 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;

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

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