



CrI.O.P.No.14120 of 2024

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RMT.TEEKAA RAMAN, J.

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Section 406, 420, 294(b), 506(i) & 120B of IPC in Crime No.18 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons primarily had lured the defacto complainant and several others to invest money in what it could be called “Crypto currency”, whereby they promised that if there is an investment of a small amount every day the said amount would be repaid back by what it can also be very bluntly called doubling of money. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that the Petitioner/A4 has not committed any offence as alleged by the Defacto Complainant. He would further submit that this is a third anticipatory bail filed by the Petitioner and first and second Petitions were dismissed on 19.10.2023 & 20.03.2024 respectively. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (CrI. Side) for the Respondent



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would submit that A1, A2 & A3 were already arrested, remanded and subsequently, released on bail. He would further submit that A6 was also granted anticipatory bail in CrI.OP.No.9631 of 2024 dated 29.04.2024. He is vehemently opposed to grant anticipatory bail to the Petitioner.

5.Heard both sides and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on both sides and the fact that A1, A2 & A3 were already released on bail and A5 & A6 were already granted anticipatory bail, and the overtact against A4 & A6 are appears to be same, I am inclined to grant anticipatory bail to the Petitioner with certain conditions.

7.Accordingly, the Petitioner/A4 is directed to deposit a sum of Rs.2,00,000/- (Rupees two lakhs only) to the credit of Crime No.18 of 2023 on the file of the learned Judicial Magistrate No.I, Villupram within a period of two weeks, failing which, the anticipatory bail shall stand dismissed. The Petitioner/A4 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 made ready, before the **learned Judicial Magistrate No.I, Villupram**, on



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condition that the Petitioner shall execute a separate 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/A4 is directed to deposit a sum of **Rs.2,00,000/- (Rupees two lakhs only)** to the credit of Crime No.18 of 2023 on the file of the learned Judicial Magistrate No.I, Villupram within a period of two weeks, failing which, the anticipatory bail shall stand dismissed;

[c] the Petitioner shall report before the Respondent Police, weekly twice at 10.30 a.m., for a period of six weeks and thereafter on every Saturday at 10.30 a.m., until further orders;

[d] the Petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 Petitioners 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

26.06.2024

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