



Crl.O.P.No.13800 of 2024

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WEB C **T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 420 r/w 34 of IPC and 24(1)(b) of the Emigration Act, 1983 in Crime No.51 of 2008, 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 he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. 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 this is a case of job racketing. This petitioner along with other accused cheated the defacto complainant to a tune of Rs.8,90,000/- under the guise of getting a job at abroad. It is further submitted that this Court had already granted anticipatory bail to the petitioner with condition. However,



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the petitioner failed to comply with the condition. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4.It is seen that, the petitioner failed to comply with order dated 12.12.2022 already imposed by this Court. Considering the submission of the learned counsel for the petitioner that now he is ready to abide by any conditions that may be imposed by this Court, this Court is inclined to grant anticipatory bail, with the following 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 Judicial Magistrate -IV, Salem*, 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 shall deposit a sum of Rs.1,00,000/- to the credit of Crime No.51 of 2008 before the concerned Court before within a period of two weeks from



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today and on such deposit, the defacto complainant/victim is permitted to withdraw the same, on filing 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 every alternative day at 10.30 a.m., for a period of eight weeks ;

[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 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;

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

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