



Crl.O.P.No.13903 of 2024

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

The petitioner, who apprehends arrest for the alleged offences punishable under Section 420 IPC in Crime No.3 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 he has not committed any offence as alleged by the prosecution. He has been 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 on the guise of starting a business the petitioner received Rs.5,00,000/- from the defacto complainant and promised him to share the profit. However, the petitioner neither returned the money nor shared the profit. Petitioner has two previous cases pending against him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.



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4. Considering the submission of the learned counsel for the petitioner that he is ready to abide by any conditions that may be imposed by this Court, this Court is inclined to grant **interim anticipatory bail till 29.07.2024**, with the following conditions.

5. Accordingly, the petitioner is ordered to be released on **interim anticipatory bail till 29.07.2024**, 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-1, Nagapatinam District*, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties (out of which, one surety must be blood 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.2,00,000/-** to the credit of Crime No.3 of 2024 before the concerned Court within a period of two weeks from today and on such deposit, the defacto complainant is permitted to withdraw the same, and appropriately share the amount to the other victims on filing undertaking affidavit and proper



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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;

6. For reporting compliance, post the matter on 29.07.2024.

02.07.2024

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