



Crl.O.P.No.29403 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest in connection with Crime No.808 of 2018, registered for the offences punishable under Sections 406, 419, 420 & 468 of IPC, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner and his brother gave false promise to secure Government job to the son and daughter of the defacto complainant and thereby, received a sum of Rs.16,00,000/-. It is also stated that when the defacto complainant asked to repay the money, the petitioner and his brother abused the defacto complainant with filthy language and threatened with dire consequences. Hence the case.

3. Learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. She would further submit that petitioner was earlier granted anticipatory bail before this Court on 17.06.2019 with the condition to deposit Rs.75,000/- to the credit of crime number. She would submit that, due to poor financial status, the petitioner was unable to deposit the amount and thereby the earlier order got



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lapsed, warranting the petitioner to file the present petition seeking anticipatory

bail.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, would submit that, A1 is the brother of the petitioner who along with this petitioner/A2 had cheated the defacto complainant to the tune of Rs.16,00,000/- by way of job racketing and this petitioner alone received Rs.1,30,000/- from the defacto complainant. He would submit that brother of the petitioner was arrested and released on bail. He would further submit that the petitioner has one previous case.

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

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Rasipuram**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, once in every two weeks on Saturday at 10.30 a.m., until further orders;

[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;



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[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 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]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

25.11.2024

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