



Crl.O.P. No.26175 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 294(b), 506(i) of I.P.C in Crime No.749 of 2018, 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. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and she has been falsely implicated in this case. He further submitted that since the petitioner herein is the sister of A1, she has been roped in this case. He further submitted that earlier, the petitioner was



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granted anticipatory bail by this Court in Crl.O.P.No.29964 of 2018 on a condition to deposit Rs.1,50,000/- in Crime Number, since the petitioner could not able to mobilize the fund within the stipulated period, the anticipatory bail was dismissed. He further submitted that the petitioner is ready to offer solvent sureties, therefore, prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner stating that A1 is the brother of the petitioner who along with this petitioner had cheated the defacto complainant to the tune of Rs.16,00,000/- by way of job racketing and this petitioner alone received Rs.1,50,000/- from the defacto complainant.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the



fact that the case is of the year 2018, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 their 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.**



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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 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 absconds, a fresh FIR can be registered under Section 269 BNS.

12.11.2024

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