



Crl. O.P. No.25779 of 2024

Crl. O.P. No.25799 / of 2024

P. DHANABAL.J.,

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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 120-B, 420, 368 and 371 of IPC in connection with the Cr. No.1 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that A2, who is running a travel agency in the name of "Sun Man Power" at Kanyakumari, was introduced by A1 to the defacto complainant, when he approached A1 to get a job in abroad. A1 and A2 have collected Rs.2,30,000/- from the defacto complainant on various dates through bank transactions under the guise of getting a call center job in Cambodia and the defacto complainant was also sent to abroad, where he was treated as 'cyber slavery' and hence he lodged a complaint before the respondent police as against the accused and hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case as against the petitioner for the offences under Sections 120-B, 420 368 and 371 of IPC. Even according to the prosecution, the defacto complainant is acquainted with



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A1, who is worked in travel agency at Tiruchirappalli and in order to secure an overseas job, the defacto complainant approached the 1st accused, in turn, she introduced the 2nd accused, who is running a travel agency in the name of "Sun Man Power" at Kanyakumari and both the accused 1 and 2 have assured to arrange a job in call center in Cambodia and hence the defacto complainant paid Rs.2,30,000/- to the accused 1 and 2 and the defacto complainant also went to abroad, where he was treated as 'cyber slavery' and hence he returned back to India and lodged the present complaint. In fact this petitioner did not involve in any crime as alleged by the respondent. He is not a named accused in the FIR. Already A1 and A2 were arrested and this petitioner is running a hotel at Cambodia and the defacto complainant is a regular customer who paid amount for monthly once. Since there is bank transaction between the defacto complainant and this petitioner, the respondent police is now searching this petitioner. Hence, the petitioner may be released on anticipatory bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with A1 and A2 have cheated the defacto complainant by giving false promise to sent him to abroad for overseas job and they also obtained Rs.2,30,000/- and further they have also sent the



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defacto complainant to Cambodia, where he was treated as 'cyber slavery' and this petitioner, who is residing in Cambodia, has acted as a mediator and this petitioner has conspired with A1 and A2 and they also shared the amount to this petitioner. Investigation is at initial stage and hence he strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of offences, considering the fact that the petitioner is not a named accused in the FIR and there is no previous pending against the petitioner, that already the prime accused were secured by the respondent police and even according to the prosecution, A1 and A2 only had received amount from the defacto complainant and this petitioner is a resident of Cambodia, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner 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 **Judicial Magistrate, Thiruvarur** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



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two sureties each for a like sum to the satisfaction of the learned

Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10 a.m. until further orders.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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



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of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered
under Section 269 B.N.S.2023.

28.10.2024

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To

- 1.The Judicial Magistrate, Thiruvarur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, CBCID Police Station, Thiruvarur District.

P.DHANABAL,J
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