



Crl.O.P.No.25123 of 2024

Crl.O.P.No.25123 of 2024

WEB C **P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Sections 120(B), 420, 368, 371 of IPC @ 120(B), 420, 368, 371 of IPC and 10 r/w 24 of Immigration Act, in Crime No.1 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that A1 worked as a Mediator along with A2, who is an agent, for securing job in abroad, that the defacto complainant, a B.E graduate, approached A1 and he was informed by the accused that there is a call centre job at Cambodia and for the same, the defacto complainant gave several amount to the accused and as planned, he was sent to Cambodia by the accused and started to do the job assigned to him, but thereafter, he came to know that the works which were assigned to him were illegal scamming and he was harassed by the persons at Cambodia and hence, he returned to India and the accused failed to repay the amount collected from the defacto complainant under the guise of securing overseas job. Hence, the complaint.



CrI.O.P.No.25123 of 2024

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. The petitioner has been falsely implicated in this case, based on the confession statement of A3. The co accused had been arrested and later, enlarged on bail. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner along with other accused have cheated the defacto complainant under the guise of getting overseas job and the defacto complainant was sent to Cambodia for the work of illegal scamming and this petitioner is one of the agent. He further submitted that there is no previous case against petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and the nature of offences charged against the petitioner and there is no previous case against the petitioner and only based on the confession statement of



CrI.O.P.No.25123 of 2024

the co-accused, this petitioner is arrayed as accused in this case and the petitioner is only an agent, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Chief Judicial Magistrate, Thiruvarur***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 and on further condition that:

[a] the petitioner shall report **before the respondent Police, on everyday at 10.30 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 him from disclosing such facts of the Court or to any police officer.

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



CrI.O.P.No.25123 of 2024

WEB COPY

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.

[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 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]*.

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

18.10.2024

vkr



WEB COPY



Crl.O.P.No.25123 of 2024

P.DHANABAL, J.

vkr

Crl.O.P.No.25123 of 2024

18.10.2024