



Crl.O.P.No.25858 of 2024

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

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offences under Section 420 read with 34 of IPC and section 10 and 24 of Immigration Act 1983 in Crime No.172 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is A1 in this case. The further case of the petitioner is that the petitioner along with other accused, on the promise of getting job for the defacto complainant in abroad, obtained a sum of Rs.7 lakhs from him. The further case of the prosecution is that though the petitioner was sent to Bangkok for the job, he was not provided a suitable job and he was told that he has applied for the other job and his documents were not related to the job in Bangkok. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner and the other accused have properly arranged all facilities, i.e, flight ticket, travel insurance and hotel booking and he has been



sent to New Zealand on 14.03.2024 and as the defacto complainant is not able to speak fluently in the local language, he was returned back to India.

Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner along with other accused on the promise of getting job to the defacto in abroad had received a sum of Rs.7 lakhs from the defacto complainant and later they had not got a suitable job to the defacto complainant.

5. The learned counsel for the intervenor would submit that the petitioner and the other accused had promised to get a job to the defacto complainant in abroad and obtained Rs.7 lakhs from him and failed to get a suitable job for the defacto complainant. The further case of the intervenor is that when he approached the accused for return of money, the accused are harassing the defacto complainant and threatening him with dire consequences.

5. Considering the submissions of both sides and also of the fact



that the defacto complainant was already sent to abroad and returned back to India and the bank account of the company of the accused has also been freezed and the amount of the defacto complainant is secured and no previous case is pending against the petitioner, I am 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 her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Metropolitan Magistrate, Additional [CCB Cases] Court, Egmore, Chennai**, on condition that the petitioner shall execute a separate 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 daily at 10.30 a.m. until further Orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S

25.10.2024

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