



Crl.O.P.No.25914 of 2024

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WEB COPY **P.DHANABAL, J.**

The petitioner apprehends arrest for the alleged offences under Section 420, 468, 470 and 471 of IPC, 1860 in Crime No.342 of 2023, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant deposited a sum of Rs.85,000/- in the petitioner's account for the reason that the petitioner would obtain Visa and Air ticket for the petitioner shortly, but after a gap of six months the petitioner sent a bogus job offer letter and Visa to the petitioner's Whatsapp. The defacto complainant after knowing the job offer letter and Visa are bogus one, enquired about the petitioner. Later, the defacto complainant came to know about that the petitioner and his family members cheated so many persons with a false hope that they will arrange jobs in foreign countries. Hence, the complaint.

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. However, on instructions, the learned counsel



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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 cheated the defacto complainant by stating that he will arrange jobs in foreign countries and he further submitted that there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of allegations leveled against the petitioner and no previous case is pending against the petitioner and also considering that co-accused was already arrested and released on bail and this is a case of the year 2023 but the respondent police have not taken any steps to secure the accused so far, 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



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(15) days from the date of receipt of a copy of this order before the

Judicial Magistrate, Tiruthuraipoondi 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 daily at 10.30 A.M. for a period of 30 days;**

[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.

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

[e] the petitioner shall make himself/herself available



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for interrogation by a police officer as and when required.

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[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.

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