



CrI.O.P.No.28281 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.388 of 2024 registered for the offences punishable under Sections 406 & 420 of IPC, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are franchisees of M/s.Prompt Multistate Cooperative House Building Society and that on the assurance given by the Promoters, the petitioners have collected amount to the tune of Rs.50,00,000/- from the defacto complainant and thereafter, repaid only Rs.15,00,000/- and subsequently, since the Promoters of M/s.Prompt Multistate Cooperative House Building Society have failed to repay the balance amount, the petitioners were unable to return the amount to the defacto complainant. He also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.



3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners induced the defacto complainant stating that they are the franchisees of M/s.Prompt Multistate Cooperative House Building Society and made him to deposit an amount to the tune of Rs.50,00,000/- on the false assurance of giving huge interest and later, cheated the defacto complainant. He also submits that the entire family members have been arrayed as accused and they have no previous case pending against them.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Coimbatore on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police at 10.30 a.m for a period of two weeks and thereafter on every Saturday at 10.30 a.m until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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



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be registered under Section 269 of BNS.

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26.11.2024



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26.11.2024