



Crl.O.P.No.28825 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.330 of 2024, registered for the offences punishable under Sections 406 and 420 of IPC, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that A1 and A2 indulged in the real estate business in the name and style of M/s. Gokulam Garden Real Estate and promised to give residential land for lesser price to the depositors and cheated their depositors to the tune of Rs.7,00,00,000/-. Hence the case.

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He further submits that the petitioner herein is the wife of A1 and her name does not find place in the FIR and she is only the signing authority and she has not received any amount. He would further submit that the respondent police has sent a notice under Section 35 (3) and (4) of B.N.S.S. Act 2023, the petitioner herein had appeared before the respondent police on 20.11.2024 and given her statement. He would further submit that she is a law abiding citizen and she is



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ready to abide by any stringent condition that may be imposed by this Court.

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4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner herein is the wife of A1. A1 and A2 are running a company in the name and style of M/s.Gokulam Garden Real Estate and promising to give land for lesser price and had cheated 350 depositors to the tune of Rs.7,00,00,000/-. A1 and A2 were already arrested and the petitioner herein is the signing authority of the above mentioned company

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal 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 on the ground that the petitioner herein is only the signing authority and also her name does not find place in the FIR.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate - II, Coimbatore, on condition that the petitioner shall execute a bond for a sum of



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Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

[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



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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];

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

25.11.2024

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