



Crl.O.P.No.27557 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/Accused in Crime No.50 of 2023 registered by the respondent police for the offences under Sections 406, 420 and 506(2) IPC with respect to an occurrence which took place between 01.01.2016 and 10.08.2023 for which a First Information Report was registered on 03.11.2023, seeks anticipatory bail.

2. It is the case of the prosecution that the defacto complainant, who hails from Bangalore had met this Petitioner/Accused and was impressed with the claims of this Petitioner that she is a spiritual influencer. It is stated that the defacto complainant had parted nearly to a sum of Rs.1,00,00,000/- (Rupees One Crore only) to this Petitioner which was not returned. Out of the said sum of Rs.1,00,00,000/- (Rupees One Crore only), a sum of Rs.60,00,000/- (Rupees Sixty Lakhs only) had been transferred through RTGS.

3. The matter had been coming up before this Court and there was an undertaking given that, on instalments, the Petitioner would return back



Crl.O.P.No.27557 of 2023

the sum of Rs.60,00,000/- (Rupees Sixty Lakhs only). The matter then had been adjourned to test the statement of this Petitioner. It is stated that, periodically the amounts had been returned back and yesterday/21.03.2024, a sum of Rs.6,00,000/- (Rupees Six Lakhs only) had been returned which would indicate that a total amount of Rs.40,00,000/- (Rupees Forty Lakhs only) had been returned back to the defacto complainant as on date.

4. The learned Government Advocate (Criminal Side) however raised an objection stating that there are similar complaints received as against the Petitioner herein. It is stated that all those complaints are at enquiry stage and the investigation is yet to proceed in this particular case.

5. Taking all the factors into consideration, particularly the fact the Petitioner had been sincere enough to return back the amounts to the defacto complainant and that the necessity of the respondent to enquire into other complaints and further directions to the Petitioner to commence returning back the amounts due and payable to the other complainants, this Court is inclined to grant anticipatory bail to the Petitioner subject to the following conditions. **It is also to be noted that the total amount due and payable to**



Crl.O.P.No.27557 of 2023

the defacto complainant should be paid back in accordance with the schedule already decided and if there is any default, either both the defacto complainant or the respondent are at liberty to seek for cancellation of this order granting anticipatory bail. Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate No.VII, Coimbatore**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent



Crl.O.P.No.27557 of 2023

WEB COPY

police once in a week i.e., 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

22.03.2024
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Crl.O.P.No.27557 of 2023

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Crl.O.P.No.27557 of 2023

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