



Crl.O.P.No.27934 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner seeks anticipatory bail in Crime No.651 of 2023 registered by the Respondent Police for the offences under Sections 417 and 420 IPC with respect to an occurrence which took place on 29.10.2020.

2. It is stated by the learned Government Advocate (Criminal Side) that the defacto complainant had lodged a complaint that the Petitioner who was 42nd ward member of the Villupuram Municipality had approached the defacto complainant and had assured to take an auction of a shop from Villupuram Municipality.

3. It is contended that the defacto complainant had parted with a sum of Rs.1,44,000/- (Rupees One Lakh and Forty Four Thousand only). But however, the case of the prosecution is that totally a sum of Rs.5,45,000/- (Rupees Five Lakhs and Forty Five Thousand only) had been paid by the defacto complainant to the Petitioner herein.



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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 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) to the credit of Crime No.651 of 2023 before the Judicial Magistrate No.I, Villupuram, on such deposit, the learned Judicial Magistrate No.I, Villupuram may transfer the said amount to the interest earning Fixed Deposit and finally after trial, if the Petitioner is acquitted, the amount together with the interest may handed back to the Petitioner but if the Petitioner is convicted, then the amount together with the interest may handed over to the defacto complainant.

[c] the petitioner shall report before the Respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the interrogation.



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[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 accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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