



Crl.O.P.No.29653 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.359 of 2024, registered for the offences punishable under Section 318(4) of BNS, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that A1 on the assurance of selling his land received an amount of Rs.12,00,000/- from the defacto complainant and cheated him. Hence, the case.

3.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this court. He would submit that the case of civil nature has been falsely projected as a case of cheating. He would submit that as far as the second petitioner is concerned, she is the daughter of A1 and she is pursuing M.A. Sociology at Madras University and there is no specific allegation against the second petitioner. He would further submit that the petitioners are 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 A1 on the assurance of selling his land received an amount of Rs.12,00,000/- from the defacto complainant and cheated him. He would further submit that in a similar nature of offence A1 cheated 6 victims and there are six previous cases pending as against A1.

5.The learned counsel for the intervenor would submit that the defacto complainant is an Advocate by profession and A1 on the premise of selling his land to the defacto complainant cheated him to the tune of Rs.12,00,000/-. The said amount has been deposited in the account of the second petitioner and she has withdrawn the amount and handed over it to A1. Hence, he opposed for grant of anticipatory bail to the petitioners.

6.Having heard the learned counsel for the petitioners, intervenor and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to dismiss the anticipatory bail in respect of the 1st petitioner and this Court is inclined to grant anticipatory bail to the 2nd petitioner with certain conditions.

7.Accordingly, the 2nd petitioner is ordered to be released on bail in the



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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 learned Judicial Magistrate No.II at Chengalpattu, on condition that the petitioner shall execute a bond for a sum of 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 2nd 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 2nd petitioner shall report before the respondent police on every day at 10.30 a.m., for a period of one week and thereafter on every Saturday at 10.30 a.m., until further orders;

[c] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd 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



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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.

10.12.2024

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