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Crl.O.P.Nos.28643 & 28088 of 2023

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**C.V.KARTHIKEYAN, J.**

The petitioners / A1, A2, A3 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 120(B) of IPC in Crime No.781 of 2023, seek anticipatory bail.

2.The 1<sup>st</sup> and 3<sup>rd</sup> accused have filed Crl.O.P.No.28088 of 2023 and the 2<sup>nd</sup> accused has filed Crl.O.P.No.28643 of 2023.

3.It is the case of the prosecution that all the three accused, had promised Government job to three separate individuals and had collected a total sum of Rs.5,50,000/- from them. Only one of the victim had given a complaint against the petitioners and also filed intervening applications.

4.It is also stated by the learned counsel that the intervenor has paid a sum of Rs.3,00,000/- to the the accused persons and had suffered that loss. It is also stated that a sum of Rs.50,000/- had been repaid earlier.



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5.Taking into all the factors into consideration and also the representation made, this Court is inclined to grant anticipatory bail to the petitioners subject to the condition that each one of them shall deposit a sum of Rs.50,000/- (totally Rs.1,50,000/-) to the credit of Crime No.781 of 2023 and on such deposit, the learned IX Metropolitan Magistrate, Saidapet, may hand over a sum of Rs.75,000/- to the intervener Ms.S.Kalaimagal, on proper identification and undertaking. The balance amount of Rs.75,000/- may be retained in a Fixed Deposit account and final orders may be passed at the conclusion of trial.

6.Accordingly, the petitioners 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 on which the order copy made ready, before the learned IX Metropolitan Magistrate, Saidapet, on condition that the petitioners shall execute a separate 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 learned Magistrate



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concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent everyday 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 be registered under Section 229A IPC.



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