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CrI.O.P.No.28293 of 2023

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 420, 294(b), 352 and 506(2) IPC in Crime No. 124 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the husband of the petitioner, petitioner and one Suresh approached the defacto complainant stating that they had involved in real estate business and if the defacto complainant invest in the said real estate business we can earn good profit for which the defacto complainant had paid a sum of Rs.10,00,000/- to the petitioner and further Rs.2,00,000/- had been paid in favour of the petitioner husband and further sum of Rs.5,00,000/- was given to A1 and A3 and further sum of Rs.1,52,000/- and Rs.3,00,000/- and Rs.1,00,000/- to the accused persons on various occasions totally to the tune of Rs. 24,00,000/-. When the same was demanded by the defacto complainant he was threatened abused by the petitioner and his husband. Hence, the case.

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2. The learned counsel for the petitioner submits that to show his bonafide the petitioner is ready to deposit a sum of Rs.4,00,000/- in the crime number.

3. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. 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 of receipt of a copy of this order, before the Judicial Magistrate, Paramathi, Namakkal District on condition that the petitioner shall execute a 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 concerned and on further condition that:

[a] **the petitioner is directed to deposit a sum of Rs.4,00,000/- to the credit of crime No. 124 of 2023 on**



or before **05.06.2024** and the defacto complainant is permitted to withdraw the same.

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation.

[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 petitioners 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.

5. Post the matter on 05.06.2024 for reporting compliance.

05.04.2024

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