



Crl.O.P.Nos.30055 & 30080 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.12 of 2022 registered for the offence punishable under Section 420 of IPC, the present petitions have been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. Learned counsel for the petitioners would submit that the petitioners are innocent and they are wife and son of A1. He further submits that A1 was a Government School Teacher and he had started some business, for which, he had borrowed loan from several persons, however, due to failure of business, he was unable to repay the amount and thereby the persons who have given the loan, had lodged a false complaint as if it was a case of job rocketing to recover the money by force. He also submits that A1 was arrested and granted bail and in A1's confession statement, other than stating that the bank accounts of the petitioners have been used for transaction of money, there is no specific allegation against the petitioners as if they



induced the defacto complainant on the promise of getting job and cheating them. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and the case is of the year 2022.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners are wife and son of the main accused/A1 who had induced the defacto complainant and several others in the guise of getting railway jobs and cheated them to the tune of Rs.1.34 Crores. He would further submit that A1 was arrested and granted on bail on health ground and the cheated amounts have been transacted through the bank account of the petitioners.

4.Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and accordingly, they 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tiruvannamalai on condition that the petitioners 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter on every Saturday 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];



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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