



Crl.O.P.No.29146 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/Accused in Crime No.358 of 2023 registered by the Respondent Police for the offences under Sections 420 and 506(i) IPC, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the Petitioner herein had put up an advertisement offering for sale, land. She had no land to sell but she had an office and on believing her, the defacto complainant had paid her a sum of Rs.5,00,000/- (Rupees Five Lakhs only). The Petitioner, then vanished. She has now come to filing this application seeking anticipatory bail.

3. Heard the learned counsel for the Petitioner and also the learned Government Advocate (Criminal Side) appearing on behalf of the Respondent.

4. Taking an over all view of the entire aspects, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions.



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since it is admitted that there is no land now to give to the defacto complainant, it only be appropriate that **the Petitioner would deposit atleast a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.358 of 2023 before the learned Judicial Magistrate No.II, Tiruvallur and on such deposit, the learned Judicial Magistrate No.II, Tiruvallur may hand it over to the defacto complainant.** Accordingly, the Petitioner is ordered to be released on bail in the 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 – II, Tiruvallur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 conditions 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.



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[b] the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.358 of 2023 before the learned Judicial Magistrate No.II, Tiruvallur and on such deposit, the learned Judicial Magistrate No.II, Tiruvallur may hand it over to the defacto complainant.

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



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

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