



CRL OP NO.30915 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30915 of 2024

Sivaji

Petitioner(s)

Vs

The State Rep., by
The Inspector of Police,
District Crime Branch,
Krishnagiri,
Krishnagiri District.

Respondent(s)

For Petitioner(s):

E.Kannadasan

For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(B), 420, 465, 468, 471 of Indian Penal Code in Crime No.11 of 2024, on the file of the respondent police, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis> 2. The case of the prosecution as per the defacto complainant is that, the



accused induced him with the false promise of getting a job in Railways and obtaining Rs.12,00,000/- (Rs.5 lakhs by way of cash and Rs.7 lakhs by way of bank transfer) from the defacto complainant. Hence, the case.

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seek indulgence of this court. He would further submit that, as per the defacto complainant, Rs.5 lakhs is said to have been given to A1 and Rs.7 lakhs is said to have been sent through bank transaction to A3. He would submit that petitioner has not received any amount directly. All the amounts have been sent to the account of one Utharavel. He would further submit that he is no way connected to this case and he is ready to abide by any stringent condition that may may be imposed by this Court.

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 the petitioner and other co-accused have introduced one Utharavel under the guise of securing job in Railway and the petitioner had received a sum of Rs.2 lakhs from the defacto complainant. Apart from the defacto complainant, there are seven other victims, and the total amount cheated is Rs.82 lakhs.



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5. In reply, the learned counsel for the petitioner would submit that the amounts are said to have been given directly to Utharavel by the victims, and the petitioner has no role in this case. Further, he would submit that the co-accused have been granted anticipatory bail by this Court vide order dated 10.12.2024 in CrI.O.P.Nos.28824 & 30271 of 2024.

6. Heard the learned counsel for the petitioner as well as the learned Government Advocate for the respondent police and also perused the materials available on record including the complaint.

7. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **learned Judicial Magistrate – II, Krishnagiri**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 condition 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 his Aadhar Card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

[d] the 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 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

12.12.2024

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<https://www.mhc.tn.gov.in/judis>



To

1. The State Of Tamil Nadu, Represented By
The Inspector Of Police (crime), District Crime Branch,
Krishnagiri.

2. The learned Judicial Magistrate – II, Krishnagiri.



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A.D.JAGADISH CHANDIRA,J.,
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