



CRL OP(MD). No.13878 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13878 of 2023

Sathyapriya

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.235 of 2023).

... Respondent/Complainant

For Petitioner : Mr.S.Sukumar, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.235 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1 apprehending arrest at the hands of the respondent police for the offence punishable under section 406, 420 IPC, in Crime No.235 of 2023, seeks anticipatory bail.

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



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2.The case of the prosecution is that some six months ago, the petitioner and her husband approached the defacto complainant requested him to redeem their 44 sovereigns of gold, pledged in Esab Bank at Andipatti. Deciding to help them, the defacto complainant has collected Rs.14,00,000/- from his circle and by pledging her jewels, gave to the petitioner and her husband at their house on 23.06.2023. On receipt of cash, the petitioner, her husband along with the defacto complainant went to above said Bank and redeemed their said jewels. When the defacto complainant demanded the petitioners to return the jewels, they instructed the defacto complainant to come to home for receiving the money. When the defacto complainant went to the house of the petitioner's house, they were not available in their house, thereby, cheated the defacto complainant. Hence, the complaint.

3.The earlier application filed by this petitioner was withdrawn by his learned counsel, when this Court about to dismiss the petition.

4.This anticipatory bail application has been filed on the ground that the defacto complainant is not having good conduct and is having previous case in Crime No.288 of 2022.

5.The learned counsel for the petitioner would submit that the second accused has already granted regular bail on condition to deposit Rs.5,00,000/-. This petitioner is the wife of second accused.



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6. Reading of the CD file shows that this petitioner was actively involved in the above said offences. He cannot take advantage of conduct of the defacto complainant. Hence, I find absolutely no reason to grant anticipatory bail to the petitioner, since remaining of the jewels have not been recovered.

7. In the result, this criminal original petition is dismissed.

sd/-

28/07/2023

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/08/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION, THENI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.13878 of 2023

Date :28/07/2023

RS/BUC/SAR-(22.08.2023) 3P 3C

Madurai Bench of Madras High Court is issuing
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