



CRL OP(MD). No.15888 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Priya @ Lakshmi Priya

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
District Crime Branch,
Tenkasi District.
(Crime No.8 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.P.Ponraj, 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.8 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 120(B), 406, 420

IPC, in Crime No.8 of 2023 on the file of the respondent Police, seeks anticipatory

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bail.
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2. The case of the prosecution:

The defacto complainant lodged a complaint stating that the defacto complainant joined as an employee in the company run by the accused. During the COVID-19 period, both the accused stated that because of deficiency of the money, they are not in a position to disburse the salary to the employees. On that ground, they demanded the jewellery of the defacto complainant for the purpose of raising money. So, three sovereigns of gold was given by the defacto complainant. Later, they failed to return the above said jewellery. Later also, they demanded jewellery and totally 16.5 soverigns of gold was given to the accused persons. Because of the above said financial situation of the company, she stopped to attend the office. When the jewellery was demanded back by the defacto complainant, she was threatened, criminally intimidated, over which, the present complaint has been given.

3. Seeking anticipatory bail, this petition has been filed by the petitioner. To ascertain the role of this petitioner, direction was issued to her to appear before the respondent Police and share the details of the second accused. Since it has been stated that the second accused is in Kerala, but his whereabouts could not be trassed out, on that ground, she appeared before the respondent. The respondent recorded her statement. In that statement, it is stated that she joined in the company as Accountant

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and till 2019, she worked in that company. The company was shifted to Kadugumalai area. Later, the second accused started the company in his own area, in which, about 30 persons were working. Later, they committed default in disbursing the salary. The second accused demanded the father of the defacto complainant to help to arrange money for salary. The jewellery was also received by the second accused, but later failed to return the same and absconded.

4. Reading of the above said statements show that the first accused also joined as an employee in the second accused's company. The second accused alleged to have received the jewellery from various persons and later absconded. Now the whereabouts of the second accused could not be traced out and only his phone number was given.

5. The respondent Police, who is present before this Court stated that the above said phone number of the second accused now is switched off. Only the second accused stated to be the main person in the above said offence. On that ground, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.1, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, TENKASI DISTRICT.



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

+1 CC to M/s.S.PONRAJ, Advocate (SR-14074[I] dated 22/09/2023)

ORDER
IN
CRL OP(MD) No.15888 of 2023
Date :22/09/2023

PKP/DD/SAR- /12.10.2023/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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