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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the First day of September Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.12243 of 2015

M.JAMEENA BEGUM ... PETITIONER/ACCUSED NO.2
Vs

STATE REP THROUGH THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, RAMANATHAPURAM DT,
CRIME NO.29/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.S.HAROON RASHEED Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406 and 420 of I.P.C., in Crime No.29 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the prosecution, the Government of Tamilnadu has introduced a scheme for Welfare of the Village Poor People and in this regard every Panchayat formed a federation namely Panchayat level federation and sanctioned loan through banks. The accused was appointed to collect the loan from the borrowers and deposit the same in the concerned bank. Whileso, the petitioner/A2 has collected Rs.8,88,136/-, but, failed to pay that amount in the account of the borrowers and thereby cheated.

3.The learned counsel for the petitioner submitted that the petitioner has collected only Rs.2,70,000/- from the borrowers and the entire amount was deposited in their respective accounts and the balance amount are not repaid by the borrowers and it is further submitted that the similar placed accused A1 was granted anticipatory bail by this Court in Crl.O.P.No.10956 of 2015.

4.The learned counsel further submitted that the petitioner is a handicapped lady and she has not committed any offence as alleged by the respondent police. He further submitted that without prejudice to the rights of the petitioner, she is ready to furnish immovable property security for the amount of Rs.6,20,000/-.

5.The learned Government Advocate (Crl.side) opposed the application stating that the petitioner has conspired with the accused and misappropriated the amount and therefore, the petitioner is not entitled to get anticipatory bail.

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6. Considering the submissions of the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Ramanathapuram and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall furnish immovable property security for the amount of Rs.6,20,000/- and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-
01/09/2015

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM

3. THE INSPECTOR OF POLICE,DISTRICT CRIME BRANCH, RAMANATHAPURAM DT,

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

+1. CC to M/S.D.S.HAROON RASHEED Advocate SR.No.50286

GJM/NGM/SS/LIB/3.9.15-2P-6C

ORDER
IN
CRL OP(MD) No.12243 of 2015
Date :01/09/2015

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