



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

Tuesday, the Twenty Fifth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15361 of 2015

MRS. GEORGE

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP BY SUB-INSPECTOR OF POLICE,
PUDUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO. 326 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.RAJESH KUMAR Advocate

For Respondent : MS.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 sole accused in Crime No.326 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 IPC and hence, seeks anticipatory bail.

2.According to the defacto complainant viz., Panimary Gosmen, the accused is running an unauthorised chit in that area for the past twelve years, in which, the defacto complainant and her family members joined as subscribers and even after paying the entire chit amount, the accused has not returned Rs.59 lakhs and thereby cheated the defacto complainant and her family members.

3.The learned counsel for the petitioner submitted that the defacto complainant has preferred a complaint dated 19.01.2015 which was registered in Crime No.303 of 2015 on the file of the respondent alleging that the accused has returned the entire chit amount and there is no arrears. However, she preferred the second complaint on 14.07.2015 alleging that the accused have swindled Rs.59 lakhs. He would further submit that the inconsistency taken by the defacto complainant in the complaints would reveal that the entire allegations in the complaint are false.

4.Per contra, the learned counsel for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner contending that the second complaint was registered based on the direction issued in Crime No.303 of 2015 and in the earlier complaint, she has stated that the accused had failed to return the amount to the other parties, who were introduced by the defacto complainant, but in the second



complaint she has specifically stated that there is due to the defacto complainant.

5. Heard the learned Government Advocate (Crl.Side).

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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, Kulithurai and on her 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 appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required, for interrogation. 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/-

25/08/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KULITHURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.

3 THE SUB-INSPECTOR OF POLICE,
PUDUKADAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.R.RAJESH KUMAR Advocate SR.No.49424

ORDER

IN

CRL OP(MD) No.15361 of 2015

Date :25/08/2015

NS/AMF/SARII/28.08.2015: 2P/6C