

Crl.OP.No. 6893 of 2016
K.KALYANASUNDARAM,J.

The petitioner, who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 read with Section 34 IPC, in Crime No.91 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused A1 to A3 and the defacto complainant are the neighbours. While so, the accused A1 to A3 approached the defacto complainant and asked her to invest money in their real estate business. Believing their representations, she invested amount to the tune of Rs.31 lakhs. Thereafter, when the defacto complainant demanded money, the accused failed to repay the same and thereby cheated her.

3.The learned counsel appearing for the petitioner would submit that the petitioner is the daughter of the accused 1 and 2 and even as per the allegation, the entire amount was handed over to the first accused in the presence of the petitioner. It is further submitted that the petitioner has successfully completed M.B.A., and now working in IT Company in DLF City, Porur. It is further submitted that A2 has already released on bail in Crl.M.P.No.1622 of 2016 in C.C.B.Cr.No.91 of 2016 by the Chief Metropolitan Magistrate, Allikulam, Chennai-3. It is further submitted that the petitioner is an innocent person and she has been falsely implicated in this case.

4. The learned Government Advocate (Criminal side) appearing for the respondent opposed the anticipatory bail petition stating that totally there are four victims in this case and the accused by making false representations, received amounts from

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several persons totalling to the tune of Rs.58,00,000/- and failed to repay the same. He further submitted that A1 has already been detained under Tamil Nadu Act 14 of 1982 and A2, who is the mother of the petitioner was arrested and released on bail.

5. Considering the above facts and circumstances of the case and also considering the fact that the petitioner has no bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the Chief Metropolitan Magistrate, Egmore 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 the petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of one week and thereafter, as and when required for investigation. 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.

04.04.2016

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