

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17166 of 2018

M.SIVARANJANI,

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
T1, AMBATTUR POLICE STATION,
THIRUVALLUR DISTRICT.
CR.NO.1287 OF 2018.

[RESPONDENT]

For Petitioner : M/S.A.SINGARAVELU Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 I.P.C. in Crime No.1287 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution is that the defacto complainant is running a Suya Udhavi Kuzhu having 55 members under the defacto complainant. The accused Sivaranjani and others approached the defacto complainant representing on behalf of the Micro Finance and collected Rs.3.46 lakhs, under the pretext that they are giving loan to Suya Udhavi Kuzhu, but they have not given any loan amount. Hence, a complaint was lodged to the respondent police. The respondent police registered a case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not got any gain and also she was not received any money from the defacto complainant and she has no way connected with the above allegation.

4.The learned Additional Public Prosecutor appearing for State submits that the investigation is still pending.

5.In view of the above, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Ambattur on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner shall deposit a sum of Rs.1,75,000/- (Rupees One Lakh Seventy Five Thousand Only) to the credit of Crime No.1287 of 2018 on the file of the learned Judicial Magistrate Court, Ambattur, within a period of two weeks. Thereafter, the learned Judicial Magistrate is hereby directed to disburse the amount to the defacto complainant within two weeks without prejudice to the right.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 6.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

10/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)

High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

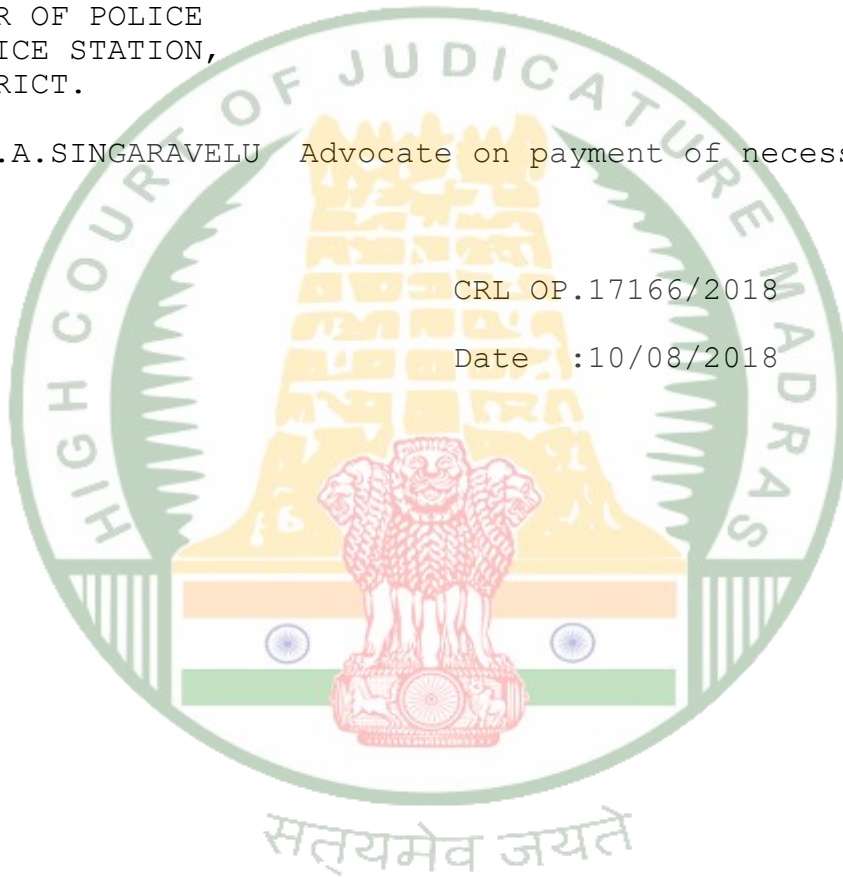
4 THE INSPECTOR OF POLICE
T1, AMBATTUR POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S.A.SINGARAVELU Advocate on payment of necessary
charges-Sr.15080

CRL OP.17166/2018

Date :10/08/2018

ths : 16.08.2018



WEB COPY