



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

Thursday, the Twentieth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22256 of 2018

SANTHIYA

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI,
THENI DISTRICT.
Crime No.54/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.SULTHAN BASHA Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

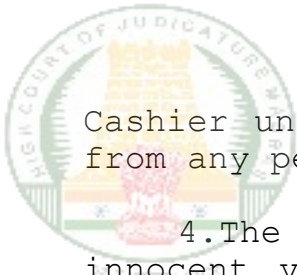
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 27.11.2018 for the offences punishable under Sections 120(b), 406, 420, 294(b) & 506(i) of IPC, in Crime No.54 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the case has been registered against the "Masaniyamman Women Group". It is a self help group. It was running by A4 who had canvassed for contributions from the persons in and around the place at the rate of Rs.12,000/- for Rs.1 lakh loan and Rs.24,000/- for Rs.3 lakhs loan. In this way, they collected a sum of Rs.8,28,000/- from 36 persons. When the defacto complainant approached the persons asking for loan or return of their money, the accused persons stated that within a period of one week the loan would be processed. Thereafter, when the main accused person A4 Kumaresan was questioned about the same on 08.09.2018, he had stated that within 10 days he would give the entire amount and had given an undertaking in 50 rupees Non Judicial Stamp Paper. There was evidences are available in audio and vedio forms.

<https://hcservices.ecourts.gov.in/hcservices/>

3.According to the petitioner, the petitioner was working as



Cashier under A4 and she has not canvassed and collected any money from any person. She has been arrested on 27.11.2018.

4.The learned Government Advocate (Crl. Side) submits that 36 innocent village people were cheated by the accused persons. No money has been recovered from any of them.

5.Considering the same this Court is inclined to grant bail to the petitioner on deposit of Rs.75,000/-.

6.Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate, Theni and on further condition that:

[a] The petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) into the credit of the Crime Number before the concerned Judicial Magistrate.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/12/2018

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
THENI.

2. THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE INSEPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI,
THENI DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.

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

ORDER

IN

CRL OP (MD) No.22256 of 2018

Date : 20/12/2018

TK/PN.AC/SAR-3/20.12.2018/3P/6C