



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

Monday, the Twenty Second day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18178 of 2018

SULAIHA

... PETITIONERS / ACCUSED NO.2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
CRIME NO.19/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.ANAND Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

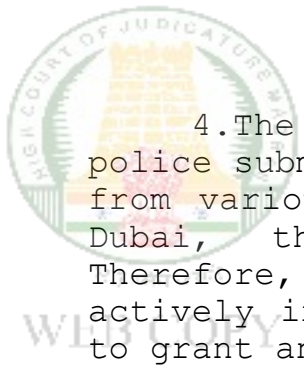
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 294(b) and 506(i) IPC, in Crime No.19 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that from 01.05.2017 to 30.09.2017, the husband of the petitioner collected Rs.29,60,000/- from various persons on false assurance that he would get a job at Newsland. Further, he has taken some persons to Dubai on tourist visa and he has received lumpsum amount from them. After reaching Dubai, the petitioner's husband simply left them and they were very much struggled food and basic amenities. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that she is the first wife of the first accused and she is having three children and living without the first accused assistance. She is nothing to do with the first accused and the crime as alleged by the prosecution. Even as per the case of the prosecution is that when the petitioner was in her house, the defacto complainant and others were approached her for returning their money, for which, she was scolded with filthy language and threatened them. Hence, she prays for grant of anticipatory bail.



4.The learned Additional Public Prosecutor for the respondent police submitted that the petitioner's husband has received huge sum from various persons for getting job at Newsland. After reaching Dubai, the petitioner's husband simply left them and flew away. Therefore, it is a clear case of job racketing and she has also actively involved in this crime. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5.It is seen from F.I.R that except the allegation that when the petitioner was in her house, the defacto complainant and others were approaching her to return the money which was received by the first accused, at that time, she was scolded with filthy languages and also threatened with dire consequences. The entire allegation falls on the first accused who received the huge sum from various persons for getting Job at Abroad.

6.Considering the facts and circumstances, 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 his appearance before the learned Judicial Magistrate No.III, Thoothukudi District, and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks. The petitioner shall comply with the conditions 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 shall stand dismissed.

sd/-
22/10/2018

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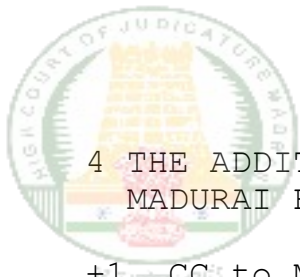
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI.

2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.



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

+1. CC to M/S.R.ANAND Advocate SR.No.20042

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ORDER

IN

CRL OP (MD) No.18178 of 2018

Date :22/10/2018

JM/PN/SAR 4/25.10.2018/3P/6C