



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

Tuesday, the Fifth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.660 of 2019

JAYA PADMA,

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING II, AT NAGERCOIL,
KANYAKUMARI DISTRICT.
(CRIME NO.1/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.MURUGESAN FOR
MR.N.RANJITH Advocate

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

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 offences under Sections 406, 420 and 120(b) I.P.C. and Section 5 of TNPID Act, in Cr.No.1 of 2016, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner and the other accused persons were running a Chit Fund Company. After collecting the amount from the depositors, the same has not been repaid by the petitioner and the other accused to the depositors, for which, the respondent police registered a case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she is only an employee in the above said Company and as per the guidance of the co-accused, the petitioner did her job.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is completed and a charge sheet has been filed in Spl.S.C.No.11 of 2018. Since the petitioner did not appear before

the trial Court, the case is posted for appearance of the accused.

5. In view of the above, this Court is inclined to direct the petitioner to appear before the trial Court for completing the committal proceedings. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court for TANPID cases, Madurai, 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 / Judge concerned and on further condition that:

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

(b) the petitioner shall report before the Special Court for TANPID cases, Madurai daily till the disposal of the case in Spl.S.C.No.11 of 2018.

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

(d) the petitioner shall not abscond 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 petitioners 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/-
05/02/2019

/ TRUE COPY /

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



TO

1. THE JUDGE,
SPECIAL COURT FOR TANPID CASES,
MADURAI

2. THE INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING II, AT NAGERCOIL,
KANYAKUMARI DISTRICT.

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

+1. CC to MR.N.RANJITH Advocate SR.No.2451

ORDER

IN

CRL OP (MD) No.660 of 2019

Date : 05/02/2019

AE/PN/SAR2/08.02.2019/3P/5C