

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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.7100 of 2019

C.SUBBULAKSHMI

... PETITIONER / ACCUSED NO.3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.
(CRIME NO.7 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.THIRUVADIKUMAR Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 417, 420 and 120-B I.P.C in Crime No.7 of 2019, seeks anticipatory bail.

2. Heard Mr.A.Thiruvadikumar, learned counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (crl., side) appearing for the State.

3. The petitioner is the mother of A1 and she was doing share market business, wherein the *de facto* complainant has invested a sum of Rs.45,00,000/- (Rupees Forty Five Lakhs only). Subsequently, A1 suffered loss and pursuant to the same, the *de facto* complainant lodged a complaint as against A1, who gave false promises due to which the *de facto* complainant has invested money in the share market business.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl., side) appearing for the State would submit that a substantial portion of investigation is over.

5. Taking into consideration of the fact that a substantial portion of investigation is completed and considering the submissions made by the learned counsel on either sides, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner/A-3 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 Judicial Magistrate No.III, Tiruchirappalli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the said Magistrate, on further conditions that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police on every Monday at 10:30 a.m.;

[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 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]**.

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

sd/-

16/05/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III,
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
<https://hcservices.ecourts.gov.in/hcservices/>

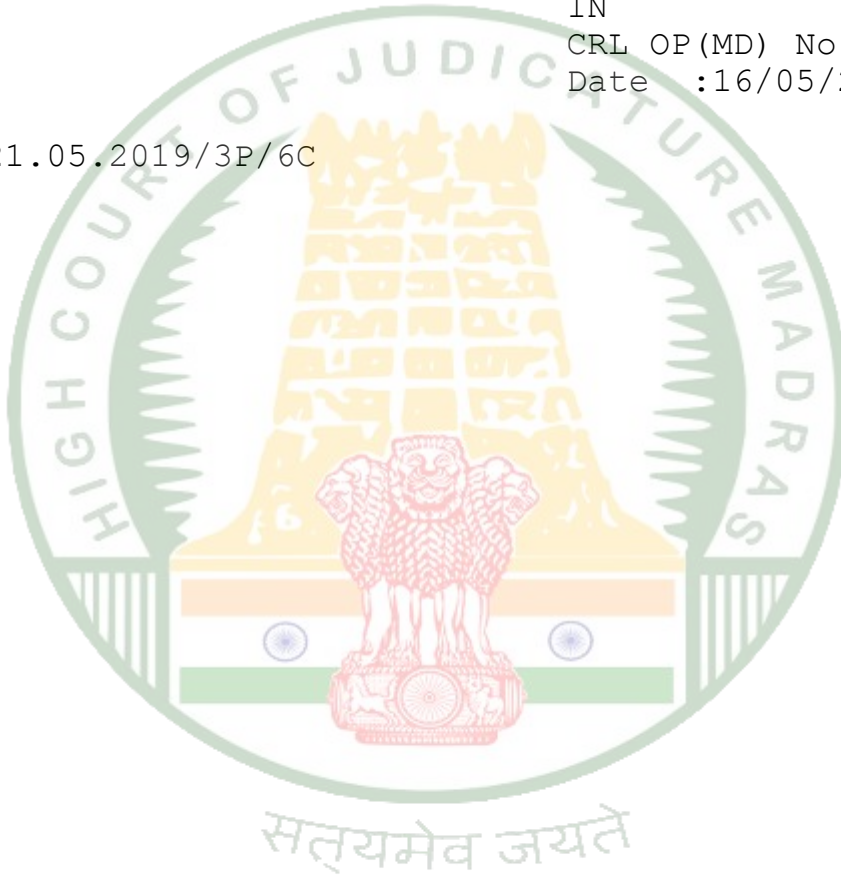
3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.

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

+1 CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-8569[I] dated
16/05/2019)

ORDER
IN
CRL OP(MD) No.7100 of 2019
Date :16/05/2019

JM/JC/SAR 3/21.05.2019/3P/6C



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