



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

Wednesday, the Sixth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.872 of 2019

M.PANDI RAVATHI

... PETITIONER / 4th ACCUSED

Vs

STATE REP. BY

THE SUB INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

IN CRIME NO 1061/2018,

U/S.406,420,294(B) 506(I), OF IPC

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SHANTHIPRIYA, Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional 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, 420, 294(b) and 506(i) I.P.C. in Cr.No.1061 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the de-facto complainant is the wholesale merchant in selling sugar bags. The petitioner is A4 and she introduced other accused persons to the de-facto complainant for purchasing sugar bags. Accordingly, the de-facto complainant delivered sugar bags worth about Rs.25,92,400/- to A1 to A3. However, A1 to A3 did not repay the above said amount. Thereafter, the de-facto complainant came to know that based on the bogus GST number, the accused purchased the sugar bags. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is the lady and she is only a broker. She introduced the other accused persons for purchasing the sugar bags from the de-facto complainant. He would further submit that it is the duty of the de-facto complainant to verify the GST number and credibility of the purchaser. He further submits that the petitioner did not commit any offence as alleged by the de-facto complainant.



4.The learned Additional Public Prosecutor, on instructions, submitted that the investigation is pending and the petitioner is only the broker.

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 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.II, Dindigul 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 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;

(b)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;

(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]**; and;

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

sd/-

06/02/2019

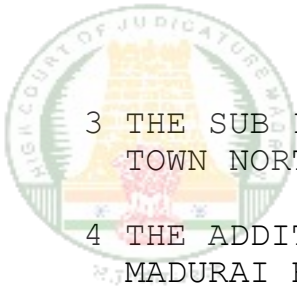
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
DINDIGUL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.



3 THE SUB INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION, DINDIGUL DISTRICT.

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

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+1. CC to M/S.K.R.SINGARA VADIVEL Advocate SR.No. 2523

ORDER

IN

CRL OP (MD) No.872 of 2019

Date :06/02/2019

JM/VR/SAR 2/12.02.2019/3P/6C