

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifth day of February Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.2304 of 2020

DHANAMANI SUSEN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
INSPECTOR OF POLICE,
T-1, AMBATHUR POLICE STATION,
CHENNAI
CRIME NO. 2356/2019

[RESPONDENT]

For Petitioner : M/S.T.NAVEEN CHANDER Advocate

For Respondent : MR.C.IYYAPPARAJ, 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 120B, 420, 408, 465, 468, 471, 477A of IPC, in Crime No.2356 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and others were working under the complainant company where, by falsification of record they have looted Rs.9 lakhs, in which Rs.7 lakhs was repaid and remaining amount is Rs.2.58 lakhs. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is employer of the defacto complainant and the false allegation was made and the petitioner did not commit any offence as held by the prosecution.

4.The learned Additional Public Prosecutor would submit that the petitioner and others cheated Rs.9 lakhs and Rs.7 lakhs was recovered. He would further submit that investigation is pending.

6.Considering the facts and circumstances of the case, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Ambathur 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 / Trial Court 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, 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]**.

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

-sd/-

05/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
AMBATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

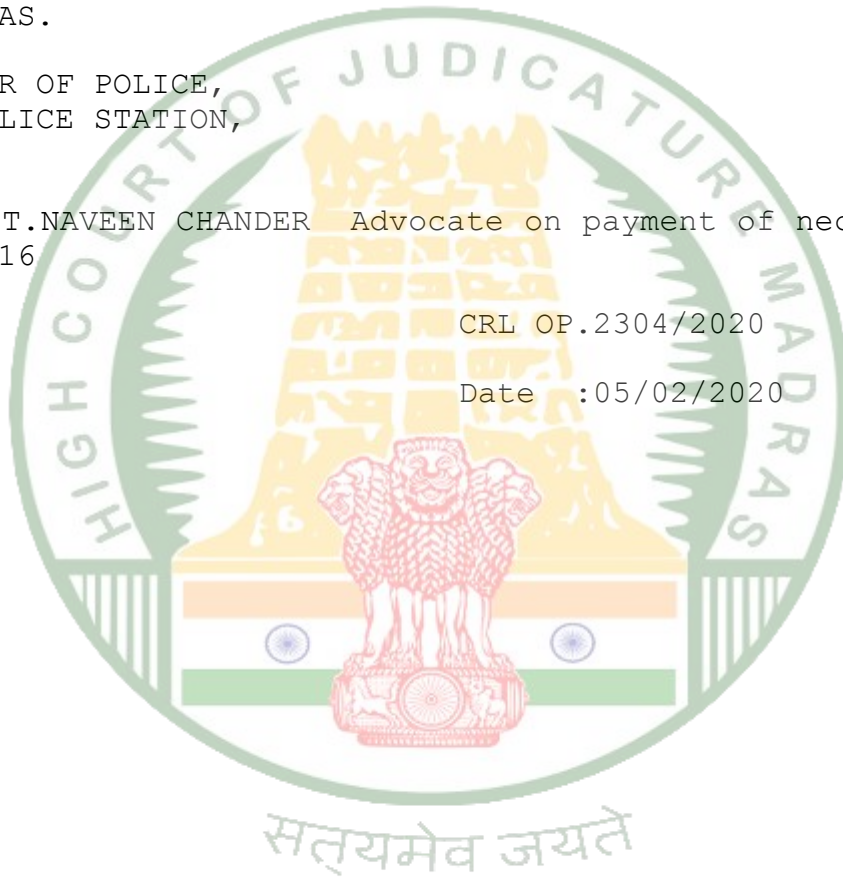
4 THE INSPECTOR OF POLICE,
T-1, AMBATHUR POLICE STATION,
CHENNAI.

+2CC to M/S.T.NAVEEN CHANDER Advocate on payment of necessary
charges SR NO.2216

CRL OP.2304/2020

Date :05/02/2020

MK:12/02/2020



WEB COPY