

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventeenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.6042 of 2020

S.RENUKA @ SHAMIM

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THE DISTRICT CRIME BRANCH,
TIRUVANNAMALAI DISTRICT.
CR.NO.01/2020

[RESPONDENT]

For Petitioner : M/S.M KRISHNAMOORTHY Advocate

For Respondent : M/S. K.PRABAKAR, 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 offences punishable under Section 420 of IPC, in Crime No.01 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with her husband had conducted unauthorised chit and collected an amount of Rs.40,00,000/- from several persons. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the wife of A1 and she is an innocent person and she is not aware of the chit run by her husband and the petitioner's husband was arrested and later he was enlarged on bail by the learned Judicial Magistrate-I, Thiruvannamalai in CrI.M.P.No.553 of 2020, dated 28.02.2020. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with her husband had conducted unauthorised chit and collected an amount of Rs. 40,00,000/- from the several persons. He would further submit that A1 has constructed a house out of the money collected. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy is made ready, before the learned Judicial Magistrate-I, Thiruvannamalai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Aadhaar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall deposit a original title deeds/document of immovable property worth about Rs.25,00,000/- either belonging to her/or her relatives to the credit of Crime No.01 of 2020

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
17/03/2020

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,
NO.I, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THE DISTRICT CRIME BRANCH,
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S.M KRISHNAMOORTHY Advocate on payment of necessary
charges SR.No.5357

CRL OP.6042/2020

Date :17/03/2020

cs 06/05/2020



WEB COPY