

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Eighteenth day of March Two Thousand Twenty  
PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN  
CRIMINAL ORIGINAL PETITION No.6211 of 2020

NAVEENATHAM

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP. BY [ RESPONDENT ]  
INSPECTOR OF POLICE,  
THIRUVANNAMALAI DISTRICT CRIME BRANCH,  
THIRUVANNAMALAI DISTRICT.  
CRIME NO. 28 OF 2019

For Petitioner : M/S. S.PANNEER SELVAM Advocate

For Respondent : M/S.S.THANKIRA Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

This Criminal Original Petition has been filed seeking to grant anticipatory bail to the petitioner, who is A3 in a criminal case registered in Crime No.28 of 2019 for the offence punishable under Section 420 of I.P.C.

2. The allegation is that the petitioner, who was working with the defacto-complainant in an Anganvaadi, used to borrow money from the defacto complainant and the repaid the same. While so, A1 (daughter of the petitioner), A-2, (Son-in-law of the petitioner), A4 (Son of the petitioner), had approached the defacto complainant and fraudulently borrowed a sum of Rs.25 lakhs from the defacto complainant by stating that if they deposit Rs.25 lakhs in the Bank, Rs.5 Crores will be credited in their account within one hour and thereby, they will repay the borrowed sum. However, they failed to repay the borrowed sum. Hence, the present complaint has been filed.

3. The learned Public Prosecutor, on instructions, would submit that, the main accused, namely, A1, A2 and A4 were arrested and released on bail.

4. Considering the nature of the allegation that only A1, A2 and A4 had approached the defacto complainant and received the money and they were already released on bail and also considering the fact that the petitioner being a lady, this Court is inclined to grant Anticipatory Bail to the petitioner.

5. 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 made ready, before the learned Judicial Magistrate No.1, Tiruvannamalai, 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 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 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].

-sd/-  
18/03/2020

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.1, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

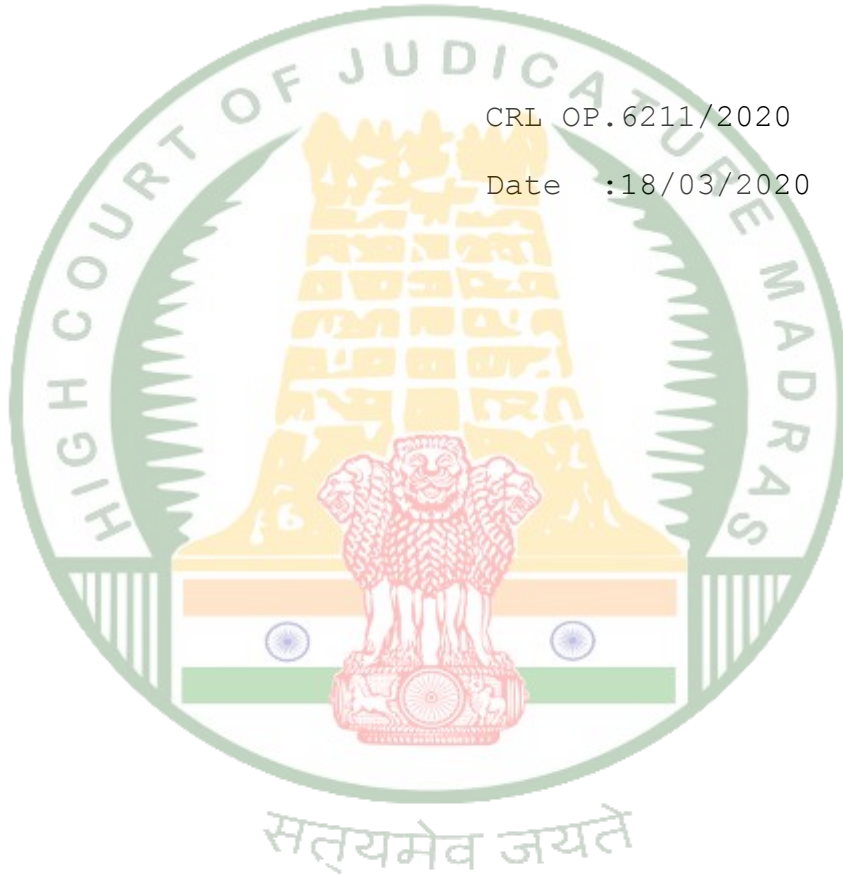
4 THE INSPECTOR OF POLICE,  
THIRUVANNAMALAI DISTRICT CRIME BRANCH,  
THIRUVANNAMALAI DISTRICT.

+1 CC to M/S. S.PANNEER SELVAM Advocate on payment of necessary  
charges SR.No.5319

CRL OP.6211/2020

Date :18/03/2020

cs 06/05/2020



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