

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.14002 of 2020

Manjula

... Petitioner/Accused

Vs.

State Rep. by

The Inspector of Police,  
District Crime Branch Police Station,  
Dharmapuri District.

Cr.No.05 of 2019

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,  
praying to enlarge the petitioner/accused on an anticipatory bail in  
the event of her arrest in Crime No.05 of 2019 pending investigation  
on the file of the respondent police.

For Petitioner : No Appearance

For Respondent : M/s.M.Saradha Devi  
Government Advocate (Crl.Side)

O R D E R

The petitioner had the benefit of the grant of an order of  
Anticipatory Bail in Crl.O.P.No.29167 of 2019, on 04.11.2019.

2.The petitioner, who apprehends arrest at the hands of the  
respondent police for the offences punishable under Sections 120(b),  
259, 260, 420, 468 and 471 of IPC in Crime No.05 of 2019, seeks  
anticipatory bail.

3.The case of the prosecution is that the petitioner along with  
other accused had received a sum of Rs.7,50,000/- (Rupees Seven  
Lakhs and Fifty Thousand Only) from the defacto complainant, on the  
false promise to get Government Job for his daughter-in-law.  
Thereafter, the defacto complainant's daughter-in-law neither  
obtained the job nor the amount was returned back to the defacto  
complainant. By order dated 04.11.2019, Anticipatory Bail was  
granted to the petitioner by directing the petitioner to pay a sum  
of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) to the  
credit of Crime No.05 of 2019, pending on the file of the learned  
Judicial Magistrate No.II, Dharmapuri. On such deposit, the learned  
Magistrate was also directed to hand over the said amount to the  
defacto complainant. The petitioner did not comply with the said

condition, till now. Now, the petitioner seeks Anticipatory Bail once again.

4. Heard, M/s.M.Saradha Devi, learned Government Advocate (Crl.Side) appearing for the respondent.

5. Accordingly, the petitioner is directed to deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) to the Credit of Crime No.05 of 2019 within a period of four weeks from the date on which the order copy made ready. On such deposit, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate-II, Dharmapuri, 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, 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 is directed to deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand Only) to the credit of Crime No.05 of 2019, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready. On such deposit, the learned Magistrate in turn may pay back the said amount to the defacto complainant on a proper identification and acknowledgement.

[c] the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-  
30/11/2020

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.II,  
DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE  
DHARMAPURI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH POLICE STATION,  
DHARMAPURI DISTRICT.

CC to M/S.M.SHREEDHAR Advocate on payment of necessary charges

CRL OP.14002/2020

Date :30/11/2020

MK:04/12/2020

WEB COPY