

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.12.2020

CORAM :

THE HON'BLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.19809 of 2020

RANI

... Petitioner

Vs.

State By,
The Inspector of Police
Central Crime Branch-II,
Vepery,
Chennai.
(Crime No.85 of 2020) Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in Crime No.85 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.S.Sasikumar

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 30.09.2020 for the offence punishable under Sections 120 (b), 419, 420, 465, 467, 468, 471 of IPC and Section 66D of Information Technology Act 2000, in Crime No.1 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the *de facto* complainant Ranjith Kumar is that the petitioner along with her husband and other accused induced the *de facto* complainant and 110 others in the guise of getting appointments as supervisor in "Sailors Maritime Academy" had cheated them to the tune of Rs.33 Lakhs. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this. He would further submit that based on the complaint of the *de facto* complainant, the case was registered and the petitioner was arrested on 30.09.2020 and she is in custody for

more than 75 days. He would further submit that without prejudice to her defense, the petitioner to prove her bohafides is prepared to deposit the original title deeds of immovable property worth about Rs.10 Lakhs to the credit of crime number. Even as per the prosecution, the alleged amounts are stated to have been deposited in to the accounts of the first accused viz., Mohandoss who is the husband of the petitioner. He would further submit that most of the accused in this case were also arrested by the respondent police. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose stating that the petitioner along with her husband and other accused induced the *de facto* complainant and 110 others in the guise of getting appointments as supervisor in "Sailors Maritime Academy" had cheated them to the tune of Rs.33 Lakhs. He would further submit that investigation is still pending. He would further submit that the petitioner was arrested on 30.09.2020.

5.Heard the learned Counsels and perused the F.I.R.

6. Taking into consideration the facts and submissions made by the learned counsels and the fact that the petitioner is a lady and is in custody from 30.09.2020 for the past 75 days, and that the petitioner has also offered to furnish the original title deeds of immovable property worth about Rs.10 Lakhs to the credit of crime number, this Court is inclined to grant bail to the petitioner subject to the following conditions;

(a) Accordingly, the petitioner is directed to deposit the original title deeds of immovable property worth about Rs.10 Lakhs, to the credit of Crime No.85 of 2020 and on such deposit, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Poonamallee, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall appear before the respondent police every day at 10.30 a.m., for a period of two weeks and thereafter, to appear before the respondent police every Monday at 10.30 a.m., until further orders.

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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];

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

7. With the above directions, this Criminal Original Petition stands ordered.

-sd/-
14/12/2020

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, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-II,
VEPERY, CHENNAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

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

CRL OP.19809/2020

Date :14/12/2020

TA-15/12/2020

<https://hcservices.ecourts.gov.in/hcservices/>