



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/09/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) .No.10074 of 2020

Thasneem

..Petitioner/Accused No.2

Vs

State Represented by
The Inspector of Police,
City Crime Branch,
Madurai City.
(In Crime No.43 of 2019)

..Respondent/Complainant

For Petitioner : Mr.S.M.A.Jinnah,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

For Intervenor : Mr.G.Anto Prince, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.43 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 IPC, in Crime No.43 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 in this case has collected a sum of Rs.1 crore 99 lakhs from the defacto complainant for getting a job in Canada. Subsequently, he failed to get visa and repay the amount to the victim. Hence, the case has been registered. This petitioner is concerned, she is the sister of A1. After collecting money from the victim, A1 has transferred a sum of Rs.33 lakhs to the petitioner's account. The account statement of A1 from 01.01.2018 to 31.12.2018, shows that some amount has been transferred to the petitioner's account. Hence, she has also added an accused.



3.The learned counsel appearing for the petitioner submitted that after producing the account statement of A2 showing that the petitioner has received only a sum of Rs.1,75,000/- (Rupees One lakh Seventy five thousand only), she did not receive any other amount.

4.The learned Government Advocate (Crl. Side), on instructions, submitted that the account statement of A2 clearly reveals that huge amount has been transferred to the petitioner's account from A1's account.

6.Considering the rival submissions and on perusal of the materials it is seen that the account statement of A2 clearly reveals that huge amount has been transferred to the petitioner's account from A1's account and she is not willing to deposit the amount, I am not inclined to grant anticipatory bail to the petitioner, at this stage.

7.Accordingly, this criminal Original Petition is dismissed.

sd/-
28/09/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI CITY.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.G.Anto Prince, Advocate SR.No.18303

ORDER
IN
CRL OP(MD) No.10074 of 2020
Date :28/09/2020

vsd
AE/VR/SAR-II (05.10.2020) 2P 4C