



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.14267 of 2020

R.Latha

... Petitioner/Rank Not Known

Vs

The State Represented by
The Sub-Inspector of Police,
District Crime Branch
Sivagangai District.
Crime No. 07/2019.

... Respondent/Complainant

For Petitioner : Mr.V.Palpandi,
Advocate.

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

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

PRAYER :-

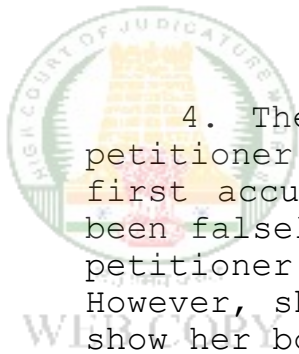
For Anticipatory Bail in Crime No. 7/2019 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 406 and 420 of I.P.C. r/w. Section 24(1)(b) of the Emigration Act, 1983, in Crime No.7 of 2019, on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the accused persons have collected a sum of Rs.46,00,000/- from 44 victims by promising to get jobs at Singapore. After receipt of the same, they fail to get jobs and refused to return back the amount. Hence, this case has been registered.



4. The learned counsel for the petitioner submitted that the petitioner arrayed as A2 and she is none other than the wife of the first accused. Since, she happens to be the wife of A1, she has been falsely implicated in this case. He further submitted that the petitioner is nothing to do with case as alleged by prosecution. However, she is ready and willing to deposit a substantial amount to show her bonafide.

5. The learned Government (Crl. Side) submitted that it is case of job racketing. A1 and A2 are husband and wife. A1 was arrested and remanded to judicial custody. He was released on bail subsequently and nothing has been recovered from A1. He further submitted that some of the victims had transferred a sum of Rs.2,17,000/- to the account of this petitioner. Therefore, the custodial interrogation of the petitioner is very much required.

6. Considering the facts and circumstances of the case and the fact that the petitioner is ready and willing to show her bonafide, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall pay a sum of 2,25,000/- (Rupees Two Lakhs and Twenty Five Thousand Only) to the defacto complainant directly and on producing of acknowledgement, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate, Sivagangai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 daily at 10.30 a.m. for a period of three weeks and thereafter 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 or the Judicial 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]; and;

(f) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

08/12/2020

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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 JUDICIAL MAGISTRATE, SIVAGANGAI.

2.-DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3.THE SUB- INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.V.PALPANDI, Advocate (SR-8019[I] dated 10/12/2020)

ORDER

IN

CRL OP(MD) No.14267 of 2020

Date :08/12/2020

IAS

AE/SMA/SAR-III (11.12.2020) 3P / 6C