

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.285 of 2021

Ramya Sherin

... Petitioner

-Vs-

The State Represented by

The Inspector of Police,

E.O.W-II, Coimbatore Police Station,

Coimbatore District.

Crime No.7 of 2019

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to grant anticipatory bail to the petitioner in the event of arrest in Crime No.7 of 2019 by the respondent police.

For Petitioner : Mr.R.Suryakumaran

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

The case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 120(B), 406, 420 of IPC, Section 5 of TNPID Act and Section 3,5 R/W 21 of banning of Unregulated Deposit Schemes Act 2019, in Crime No.7 of 2019, on the file of the respondent/Police, seeks anticipatory bail.

2.The case of the prosecution is that the 2nd Accused along with other accused have running a company in the name of "M/s.Vinn Wealth International". Further, they have collected huge money to the tune of Rs.80 Lakhs from the General Public and cheated them. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she is no way connected with this crime and she has been falsely implicated in this case. He would further submit that now A2 already been arrested and released on bail. He would further submit that the petitioner is ready and willing to deposit a sum of Rs.5,00,000/- to the Credit of Crime No.7 of 2019.

4.The learned Additional Public Prosecutor would submit that they have collected huge money nearly Rs.80 Lakhs from the General Public and cheated them. He would further submit that the petitioner is the wife of A2. He would further submit that A2 has already been arrested and thereafter he was released on bail and there is no previous case pending as against the petitioner.

5. Considering the facts and circumstances of the case and that the petitioner is the wife of the A2 and A2 was already released on bail and there is no previous case pending as against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.7 of 2019, before the learned Special Judge, Special Court under TNPID Act, Coimbatore within a period of two weeks from the date on which the order copy made ready, and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Special Judge, Special Court under TNPID Act, Coimbatore 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] before executing sureties, the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.7 of 2019, before the learned Special Judge, Special Court under TNPID Act, Coimbatore, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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].

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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

-sd/-
25/02/2021

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 SPECIAL JUDGE,
SPECIAL COURT UNDER TNPID ACT,
COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
E.O.W-II, COIMBATORE POLICE STATION,
COIMBATORE DISTRICT.

+1CC to M/S.M.SAMPATH MUTHU KUMAR Advocate on payment of
necessary charges SR NO.2432

CRL OP.285/2021

Date :25/02/2021

MK:12/03/2021