



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM

THE HONOURABLE Mr. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.1332 of 2021

Suraj Bai

...Petitioner

Vs

State rep. by its
Inspector of Police
Central Crime Branch
EDF Team III, Team-20
Vepery, Chennai.
Cr.No.678 of 2017

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of arrest in Crime No.678 of 2017 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Ganesh Kumar

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

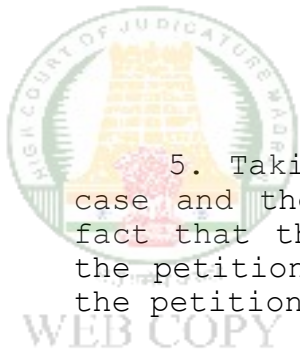
(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406 and 420 of IPC in Crime No.678 of 2017 on the file of the respondent police, seeks anticipatory bail.

2. There are totally six accused in this case. The petitioner is A6. The allegation is that A1 and A2 were running finance company and collected amounts from various innocent public and cheated them to the tune of Rs.27,50,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would submit that the petitioner is the mother of A1, who is aged about 93 years and she has nothing to do with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the main accused cheated the general public to the tune of Rs.27,50,000/-. He would submit that the petitioner is the mother of the first accused and that A1 and A3 have already been arrested and released on bail. He would submit that investigation in this case is over and hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsels and also the fact that the investigation is over and also considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

a) Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Alandur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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:

[b] 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[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.

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

-sd/-

11/02/2021

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.



1 THE JUDICIAL MAGISTRATE,
ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH
EDF TEAM III, TEAM-20
VEPERY, CHENNAI.

CC to M/S. R.GANESH KUMAR Advocate on payment of necessary
charges SR.1611

CRL OP.1332/2021

Date :11/02/2021

RVR 19/02/2021