

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.461 of 2021

NALINI

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
CBCID POLICE STATION,
VELLORE DISTRICT.
CR.NO.4/2020.

[RESPONDENT]

For Petitioner : M/S.D.RAJAGOPAL Advocate

For Respondent : MR. T.SHUNMUGARAJESWARAN,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends at the hands of the respondent police for the alleged offence under Sections 170, 420, 465, 468, 471 and 43, 66 66(c), 66(d) of Income Tax Act in Crime No.4 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have colluded with the accused A1 and A2, who were collected Rs.100/- from the ineligible candidates for getting approval of the scheme of Prime Minister Kisan Portal. It is further stated that PM-Kisan is a scheme with 100% funding from the Government of India which provides Rs.6000/- p.a. as income support to the poor farmers. The petitioner along with the other accused collected huge amount from the innocent people and thereby cheated them. Hence, the present complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is in no way connected with the alleged offence. It is further submitted that she is an innocent person and a false case has been foisted against her. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the main accused A1 and A2 were already arrested and subsequently released on paid. He further submitted that there is no specific allegation as against this petitioner and that there is no bad antecedents against this petitioner.

5.Taking into consideration the facts and circumstances of the case and the main accused were already arrested and released on bail and that there is no bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.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 III, Vellore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- each (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 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 Court concerned 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 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/ 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]**; and;

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

-sd/-
19/04/2021

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 JUDICIAL MAGISTRATE NO.III
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT. (FOR INFORMATION)

3 THE CBCID POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS, CHENNAI.

+1 CC to M/S.D.RAJAGOPAL Advocate on payment of necessary
charges SR.No. 5048

CRL OP.461/2021

Date :19/04/2021

RG.10/05/2021

WEB COPY