

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION Nos.19743 & 19647 of 2020

K.THILAGAVATHI

[PETITIONER / ACCUSED
IN BOTH THE PETITIONS]

Vs

STATE REP BY,
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE,
COIMBATORE DISTRICT.
CRIME Nos.7/2018 & 13/2019

[RESPONDENT
IN BOTH THE PETITIONS]

For Petitioner : M/S.T.SUNDARAVADANAM Advocate
[IN BOTH THE PETITIONS]

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor
[IN BOTH THE PETITIONS]

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

ORDER : The Court Made the following order :-

The petitioner/A4, who apprehends arrest for the alleged offence under Sections 406 and 420 of IPC in Crime Nos.7 of 2018 and 13 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3. The case of the prosecution is that, the petitioner along with other accused persons collected nearly Rs.22,50,000/- from 30 innocent persons on a false promise to secure a job in the foreign companies. However, they neither secured the job nor they returned the money. Hence the complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. However, the learned counsel on instructions submitted that, to show her bona fide, the petitioner is ready to deposit Rs.1,00,000/- in each of the crime number within four weeks. Hence, he seeks for grant of anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the petitioner is arrayed as A4 in both the cases. She along with other accused persons joined together and collected money from the innocent persons in order to secure jobs in the foreign countries. The specific over act as against this petitioner is that she acted as a broker and brought several persons to invest money in order to secure job. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and also taking into consideration to show her bona fide the petitioner is ready to deposit Rs.1,00,000/- each to the credit of crime Nos.7 of 2018 and 13 of 2019, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is directed to deposit a sum of Rs.1,00,000/- each to the credit of Crime Nos.7 of 2018 and 13 of 2019 within a period of four weeks from the date of receipt of copy of this order and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.VI, Coimbatore, on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) in each of the crime number 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 conditions that:

[a] the petitioner is directed to deposit a sum of Rs.1,00,000/- each to the credit of Crime Nos.7 of 2018 and 13 of 2019, within a period of four weeks from the date of receipt of copy of this order and on such deposit, the learned Magistrate concerned shall disburse the amount to the victims proportionately, after obtaining appropriate affidavits.

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not tamper with evidence or witness 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 229-A IPC.

-sd/-

16/04/2021

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.VI, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE,
COIMBATORE DISTRICT.

+2 CC to M/S.T.SUNDARAVADANAM Advocate on payment of necessary
charges SR.Nos.4870 & 4871

CRL OP.Nos.19743 & 19647/2020

Date :16/04/2021

cs 27/04/2021