



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.18926 of 2021

T.Savitha

... Petitioner

Vs.

The Sub Inspector of Police,
Thiruchengodu Town Police Station,
Namakkal District.
(Cr.No.491 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.491 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Jeyakumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 13.08.2021 for the offence under Sections 468, 470, 471, 420 of I.P.C. in Crime No.491 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner is alleged to have received money from various persons by making false promise of securing temporary job in the Survey Department as Data Entry Operator and issued fake appointment order as though it has been issued by the defacto complainant. The defacto complainant is the Assistant Director of Survey Department.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioner, without prejudice to her rights, is ready to deposit a sum of Rs.1,00,000/- to the credit of the crime number and also conceded the same to be disbursed proportionately to the alleged affected persons. However, the learned counsel submitted that before disbursing the amount, an appropriate affidavit of undertaking shall be obtained from the alleged affected persons.



4.The learned Government Advocate (CrI. Side) submitted that the petitioner collected a sum of Rs.1 Lakh from 25 persons.

5.Considering the fact that the petitioner, without prejudice to her rights, is ready to deposit a sum of Rs.1,00,000/- to the credit of the crime number, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tiruchengode and on further condition that:

(a)the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Cr.No.491 of 2021 before the learned Judicial Magistrate, Tiruchengode. On such deposit being made, the learned Judicial Magistrate, Tiruchengode, shall disburse the amount deposited by the petitioner to the affected persons in this case, proportionately, within a period of two weeks thereafter;

(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, daily at 10.30 a.m. until further orders;

(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 petitioners 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;

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

-sd/-

07/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



1 THE JUDICIAL MAGISTRATE,
TIRUCHENGODE.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 SUB INSPECTOR OF POLICE,
THIRUCHENGODU TOWN POLICE STATION,
NAMAKKAL DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.JEYAKUMAR Advocate on payment of necessary charges

CRL OP.18926/2021

Date :07/10/2021

CSK 08/10/2021