



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21882 of 2021

1.E.Naveen Kumar
2.Jayanthi @ Ammu

... Petitioners

Vs.

State Rep. By
The Sub- Inspector of Police,
District Crime Branch,
Villupuram.
Crime No.42 of 2021.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.42 of 2021 on the file of the respondent.

For Petitioners : Mr.R.Venkatesan

For Respondent : Mr.Suganthan

Government Advocate (Cr1.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 420, 120B, 465, 468, 471 and 506(i) of IPC, in Crime No.42 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and other accused persons have collected a sum of Rs.49,00,000/- from the defacto complainant and 21 others, for providing job. But neither provided job nor returned the money, complaint is lodged by the defacto complainant.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that A3 is the wife of A1, and she is a house wife. He prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that there are totally 3 accused, A2 was arrested and remanded to judicial custody and A3 is the wife of A1. On false promise, the petitioners collected a sum of Rs.49,00,000/- from the defacto complainant and 21 others, for providing job security. He further submitted that A1 is having two previous cases and A3 has no previous case. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate, this Court is inclined to grant anticipatory bail to the petitioner/A3, who is a house wife and has no previous cases. As far as A1 is concerned, he is having two previous cases, this Court is not inclined to grand anticipatory bail to A1.

6.Accordingly, the petitioner/A3 is ordered to be released on bail in the event of arrest or on her appearance before the learned District Munsiff Court cum Judicial Magistrate, Vanur, 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/A3 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] the petitioner/A3 is directed to report before the respondent police as and when required for interrogation.

[c] the petitioner/A3 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner/A3 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/A3 in accordance with law as if the conditions have been imposed and the petitioner/A3 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].



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

WEB COPY

-sd/-
22/11/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION].

3 THE SUB INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, VILLUPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. R.VENKATESAN Advocate on payment of necessary charges SR.NO.13219

CRL OP.21882/2021

Date :22/11/2021

JPA 26/11/2021