



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Second day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.24439 of 2021

GEETHA

[PETITIONER / ACCUSED]

Vs

THE STATE, REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPPUR CENTRAL CRIME BRANCH POLICE STATION,
TAMIL NADU - 641 603.
CR.NO.4 OF 2021

For Petitioner : M/S. V.RAGHAVACHARI Advocate

For Respondent : MR. S.BALAJI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420, 406 and 120B IPC in Cr.No.4 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. There are four accused in this case and the petitioner herein is arrayed as A2. The case of the prosecution is that the petitioner and other accused person pretended themselves that they were able to secure job in Government Departments, collected a sum of Rs.84,82,000/- dishonestly from various persons. After receiving the said amount, the petitioners neither secured the job nor returned the amount. Hence this complaint.

3.The learned counsel appearing for the petitioner submitted that this is the second bail petition filed by the petitioner. Earlier petition was dismissed by this Court vide order dated 16.06.2021. He further made a submission that she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Since the co-accused was enlarged on anticipatory bail by the Trial Court in Crl.M.P.No.337/2021 dated 11.06.2021, he prays for grant of anticipatory bail to the petitioner also. However, on instructions, the learned counsel submitted that the petitioner, on



her own volition, is ready and willing to deposit a sum of Rs.19,00,000/- to the credit of Crime Number without prejudice to her rights before the trial Court and on such deposit being made, the concerned Magistrate, after obtaining undertaking from the defacto complainant that if the petitioner succeeds in the case, the said amount would be refunded back to him, the Magistrate may disburse the amount to the defacto complainant. .

4.The learned Additional Public Prosecutor submitted that if the petitioner is willing to deposit the amount as undertaken, this Court may consider the request of the petitioner for grant of anticipatory bail.

5.Considering the nature of the case and based on the undertaking that the petitioner is ready to deposit the amount, I am inclined to grant anticipatory bail to the petitioner .

6.Accordingly, the petitioner is ordered to be released on anticipatory 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 No.IV, Tiruppur, 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 and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the petitioner shall shall make deposit of Rs.19,00,000/- (Rupees Nineteen Lakhs only) to the credit of Cr.No.4/2021 on the file of the respondent Police without prejudice to her defence before the trial Court. On such deposit being made, the concerned Magistrate, after obtaining undertaking from the defacto complainant that if the petitioner succeeds in the case, the said amount would be refunded back to him, shall disburse the amount to the defacto complainant. The concerned Magistrate, shall accept the sureties furnished by the petitioner on such deposit being made and proof filed by the petitioner;

(c)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;

(d)the petitioner shall report before the respondent police daily as and when required until further orders;



(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;

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

-sd/-
22/12/2021

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.IV,
TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUPPUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
TIRUPPUR CENTRAL CRIME BRANCH POLICE STATION,
TAMIL NADU - 641 603.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. V.RAGHAVACHARI Advocate on payment of necessary charges SR.NO.15405

CRL OP.24439/2021

Date :22/12/2021

INBA-07/01/2022