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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23773 of 2021

Subhasri

... Petitioner

Versus

State Rep by
The Inspector of Police,
District Crime Branch,
Cuddalore District.
(Crime No.11 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in the event of their arrest in Crime No.11 of 2021 pending investigation on the file of the respondent police.

For petitioner : Mr.C.Raghavan

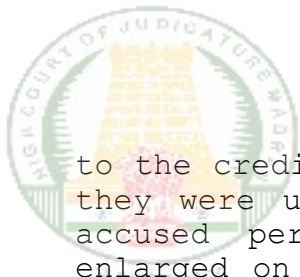
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under section 406, 468, 471, 420 and 506(1) of IPC, in Crime No.11 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons joined together and received a sum of Rs.7,85,000/- from the defacto complainant for the purpose of securing Government Job in Food Corporation of India and thereafter cheated the complainant.

3. The learned counsel for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that earlier this Court granted anticipatory bail to the petitioner and other accused in Crl.O.P.No.14162 of 2021 dated 16.08.2021 with a condition to deposit entire amount of Rs.7,85,000/-



to the credit of Crime number and further due to pandemic conditions they were unable to comply with the conditions therefore the other accused persons were arrested on 03.11.2021. However they were enlarged on bail in CrI.O.P.No.22381 dated 24.11.2021 by depositing Rs.5 lakhs to the credit of the Crime Number. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI.Side) submits that investigation almost completed. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering that a sum of Rs.5 lakhs was deposited by her husband, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **District Munsif Cum Judicial Magistrate, Neyveli** on condition that the petitioner shall execute a bond for 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 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 are directed to appear before the respondent police as and when required.

[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]**.



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

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-sd/-
13/12/2021

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 DISTRICT MUNSIF-CUM
JUDICIAL MAGISTRATE, NEYVELI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

+1 CC to M/S.C.RAGHAVAN Advocate on payment of necessary charges
SR.NO.14624

CRL OP.23773/2021

Date :13/12/2021

TA-15/12/2021