



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.4811 of 2021

R.Saroja

... Petitioner/Accused No.6

Vs

The State rep.by,
The Inspector of Police,
E. O. W II, Karur,
Karur District
Cr No. 4/2008..

... Respondent/Complainant

For Petitioner : Mr.Mathiyalagan.R.,
Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

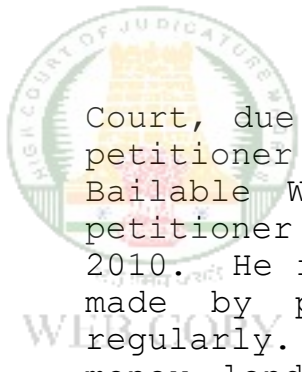
For Bail in Crime No. 4/2008 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/A6 herein was arrested and remanded to judicial custody on 18.03.2021 for the alleged offence under Sections 406, 420 and 120(b) of IPC, r/w Section 5 of TNPID Act.

2.Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court, hence Non Bailable Warrant was issued on 16.03.2021. The petitioner was arrested on execution of Non Bailable Warrant on 18.03.2021.

3.The learned counsel appearing for the petitioner submitted that the petitioner is regularly appearing before the trial Court on dates he was unable to appear before the trial



Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 18.03.2021. He further submitted that the petitioner has involved only three cases in C.C.Nos.11,14 and 17 of 2010. He further submitted that the payment to the depositors being made by persons concerned/the management of the Pugazh group regularly. The petitioner being family member and she is only a money lender. He further submitted that the petitioner is aged about 61 years and she is suffering from age related ailments.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that totally there are nine calendar cases pending with regard to Pugazh chit and his group. He further submitted that totally a sum of Rs.1,25,75,500/- has been misappropriated and cheated, of which, a sum of Rs.60,65,500/- has been paid to the depositors and Rs.3,56,000/- has been deposited to the credit in the name of DRO and balance amount of Rs.57,54,500/- to be paid to the depositors.

5.Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner was arrested on execution of Non bailable Warrant and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioner by imposing conditions.

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 each for a like sum to the satisfaction of the Special Court under TNPID Act, Madurai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioner shall report before the trial Court on all hearing dates without fail and cooperate with trial and not being a reason without any delay or obstruction.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)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].



vi) If the petitioner/ accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
31/03/2021

/ TRUE COPY /

WEB COPY

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDGE,
SPECIAL COURT UNDER TNPID ACT,
MADURAI.
- 2 THE INSPECTOR OF POLICE
E. O. W II KARUR, KARUR DISTRICT
- 3 THE OFFICER INCHARGE,
SUB JAIL, NILAKKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4811 of 2021
Date :31/03/2021

NR/VR/SAR-III (31.03.2021) 3P:5C