



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.8155 of 2021

Vanitha

... Petitioner/Accused(A-2)

Vs

1.The State rep.by,
The Inspector of Police,
District Crime Branch,
Ramanathapuram.
(Now Transfer to District Crime Branch).

2.The State rep.by,
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram.

... Respondents 1 and 2

For Petitioner : Mr.G.Karuppasamy pandian,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.146 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 10.02.2021 for the offences punishable under Sections 468, 471, 406, 409, 420 & 120B of IPC in Crime No.146 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner's husband (A1) was working as an Appraiser in the Indian Overseas Bank, Kadaladi Branch and during the Audit check-up, they found that several fake jewels worth about Rs.81 lakh were deposited in the name of few customers of the Bank. The petitioner has been arrested that she has criminally conspired with her husband in the said commission of offence.



3.The learned counsel appearing for the petitioner submits that except this vague allegation, in the past six months, the investigating Agency has not collected any material connecting this petitioner with the commission of the said offence.

4.The learned Government Advocate (Crl. Side) submits that investigation was completed and final report has been filed.

5.The learned counsel for the petitioner submits that final report has been filed as if the petitioner has conspired with her husband to commit this offence.

6.Considering the nature of offence and the period of incarceration, this Court is inclined to grant bail to the petitioner.

7.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 learned Judicial Magistrate, Kadaladi and on further condition that:

[a] 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 shall report before the learned Judicial Magistrate, Kadaladi as and when required.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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.

sd/-
02/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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 JUDICIAL MAGISTRATE,
KADALADI.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM.
- 5 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
RAMANATHAPURAM.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.P.DHANASEKARAN, Advocate (SR-25116[I] dated
03/08/2021)

ORDER
IN
CRL OP(MD) No.8155 of 2021
Date :02/08/2021

OGY
RT/VR/SAR.II/02.08.2021/3P/7C