



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 18/06/2021

WEB COPY

PRESENT

**The Hon'ble Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD) . No.7969 of 2021

Rajeswari

... Petitioner/Accused No.2

**Vs**

The State Rep. by  
The Inspector of Police,  
Thirumangalam Town Police Station,  
Madurai District.  
Crime No.143 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Kannan.M.,  
Advocate.

For Respondent : Mr.M.Muthumanikkam,  
Government Advocate (Crl.Side)

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

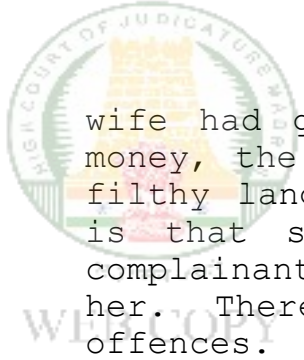
**PRAYER :-**

For Anticipatory Bail in Crime No.143 of 2021 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 294(b) and 506(i) of IPC, in Crime No.143 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the first accused in this case represented to the de-facto complainant that she is involved in investing in foreign exchange business, she lured the de-facto complainant to invest in the foreign exchange business, so that she would earn a huge profit. Believing the words of the first accused, the de-facto complainant deposited a sum of Rs.23,30,000/- on several occasions. Thereafter, nothing was paid back to the de-facto complainant either as profit/interest. When asked for profit and the principal, the first accused did not repay it. On 07.04.2021, when the de-facto complainant along with his



wife had gone to the house of the first accused to ask for his money, the first accused and this petitioner had scolded them in a filthy language and the further allegation against this petitioner is that she along with the first accused pulled the de-facto complainant's wife and pushed her down and criminally intimidated her. Therefore, this case came to be registered for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and she did not know anything about the alleged money transaction between the de-facto complainant and the first accused. The only allegation against this petitioner is that she used filthy language against the de-facto complainant and his wife and physically abused them. Therefore, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) for the respondent strongly opposed this petition on the ground that investigation is pending.

5.Taking into consideration the facts and circumstances of the case and the fact that expect the allegation against this petitioner that she had only abused the de-facto complainant's wife, pulled her and pushed her down and also criminally intimidated her and also the fact that the first accused, who is the prime accused in this case was already arrested and there is evidence, as of now, with regard to the involvement of this petitioner in the monetary transaction between the de-facto complainant and the first accused, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

6.Accordingly, the petitioner is ordered to be released on 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 Court, Thirumangalam, Madurai District, 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]**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 shall report before the respondent police, daily at 10.30 a.m., until further orders;

**[c]**the petitioner shall not tamper with evidence or witness either during investigation or trial;

<https://hcservices.ecourts.gov.in/hcservices/>



[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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

18/06/2021

/ 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,  
THIRUMANGALAM, MADURAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
THIRUMANGALAM TOWN POLICE STATION,  
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to Mr.M.KANNAN, Advocate ( SR-4086[I] dated 22/06/2021 )

ORDER

IN

CRL OP(MD) No.7969 of 2021

Date :18/06/2021