



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1968 of 2022

Venkatalakshmi

... Petitioner

Versus

State represented by
The Inspector of Police,
Central Crime Branch,
Salem District.
(Crime No.17 of 2019)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.17 of 2019 pending investigation before the respondent.

For Petitioner : Mr.C.Mohan Raj

For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl. Side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 409, 465, 468, 471 and 201 of IPC in Crime No.17 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the 1 is the petitioner's husband and it was alleged that the A1 working in Account Section, Kondalampatty ward Office, Salem Corporation and committed some misappropriation and swindled the Tamil Nadu Government Schemes amount to the tune of Rs.86,45,906/- and the same was transacted to various bank accounts which was found to be his relatives bank accounts, likewise Rs.1,47,493/- was transacted to the petitioner's bank account. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that near about Rs.86,00,000/- was misappropriated by the husband of this petitioner namely Venkatesh Kumar along with other accused, all the amounts are relating to அம்மா உணவகம் Corporation Authorities, the FIR was lodged in the year 2019. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, on perusal of that there is Rs.92,00,000/- Government money fabricated by the Venkatesh Kumar. As per the statement of the Corporation Authorities the husband of this petitioner has received near about Rs.14,00,000/-, Rs.8,00,000/- on his account through RTGS, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.IV, Salem 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the Crime No.17 of 2019 within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Tuesday at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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



[f] 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 anticipatory 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].

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

-sd/-

31/01/2022

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, SALEM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.LOUISAL RAMESH Advocate on payment of necessary charges

CRL OP.1968/2022

Date :31/01/2022

RVR 04/02/2022