



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.2070 of 2022

Keerthana

... Petitioner

Vs.

The State Represented by,

...Respondent

Inspector of Police,

E-5, Sholavaram Police Station,

Thiruvallur District.

Crime No.6 of 2022.

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of arrest in Connection with the Crime No.6 of 2022 pending on the file of the respondent police.

For Petitioners : Mr.R.Saritha

For Respondent : Mr. N.S.Suganthan

Govt. Advocate (Cr1. Side)

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 420 and 506(1) of IPC, in Crime No.6 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the daughter of A1. It is alleged that the petitioner's mother conducted unregistered chit fund and thereby collected to the tune of Rs.12,00,000/- from the defacto complainant and his family members and further failed to repay it. Hence, the defacto complainant lodged a complaint against the petitioner.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and she has been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to her rights, is ready to deposit the amount of **Rs.1,00,000/- (Rupees One Lakh only)** to the credit of the **Crime Number 6 of 2022**. Hence, he prays for grant of anticipatory bail to the petitioner with any conditions.

4. The learned Government Advocate (Crl.Side) submits that the investigation is at initial stage and further submits that some of the accused are still absconding. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the First Information Report.

6. Taking into consideration the facts and submissions of the learned Counsels and also considering that the petitioner is a college going student, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

7. 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 -II, Ponneri** 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 shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) each to the credit of **Crime Number 6 of 2022** 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 -II, Ponneri** On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the amount of Rs.1,00,000/- was deposited by the petitioner to the credit of **Crime Number 6 of 2022** within a period of two weeks;

(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 shall appear before the respondent police as and when required for interrogation.

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

-sd/-

01/02/2022

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.II, PONNERI, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
E-5, SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S. J.BHARATHI RAJA Advocate on payment of necessary charges

CRL OP.2070/2022

Date :01/02/2022

TA-14/02/2022