



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.2307 of 2022

C.V.Jayasri

... Petitioner

Vs.

The State Represented by,
Inspector of Police,
C.C.I.W., CID., Kanchipuram,
Kanchipuram District.
Crime No.2 of 2022.

... Respondent

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.2 of 2022 pending on the file of the respondent police.

For Petitioners : Mr.N.Saravanan

For Respondent : Mr. A.Gokulakrishnan
Additional Public Prosecutor

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 120-B, 408, 467, 468, 471, 477A, 420 r/w. 109 of the Indian Penal Code, in Crime No.2 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is arrayed as A2 and she is working in the defacto complainant's co-operative society as a Supervisor. It is alleged that the petitioner along with other accused colluded together and misappropriated a sum of Rs.1,64,83,500/- by pledging fake jewellery and thereby caused a huge loss to the society. 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 he has been falsely implicated in this case. He further submitted that the petitioner is ready to co-operate for investigation. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of the Crime Number 2 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner with any conditions.

4. The learned Additional Public Prosecutor submits that co-accused already arrested and further submitted that proceedings under section 81 also initiated. However, 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 aged about 51 years and further SARFAESI proceedings have been initiated, this Court is inclined to grant anticipatory bail to the petitioner and further the Investigation agency is directed to verify the property particulars of Amirthalal.

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 JM.II, Chengalpattu 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.2,00,000/- (Rupees Two Lakhs Only) each to the credit of Crime Number 02 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 J.M.II, Chengalpattu. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the amount of Rs.2,00,000/- was deposited by the petitioner to the credit of Crime Number 02 of 2022 within a period of two weeks;



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(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 on daily 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 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/-
02/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, CHENGALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
CCIW, CID, KANCHIPURAM,
KANCHIPURAM DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S N.SARAVANAN Advocate on payment of necessary
charges SR.NO.1833

CRL OP.2307/2022

Date :02/02/2022

JPA 10/02/2022