



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

WEB COPY

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.2444 of 2022

Yamuna Rani

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Central Crime Branch - I Police,
Chennai
(Crime No.179 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, in Crime No.179 of 2021 on the file of the respondent Inspector of Police.

For Petitioner : Mr.G.Kalidasan

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

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 22.11.2021 for the offences under Sections 120B, 420, 465, 467, 468, 471 of IPC, in Crime No.179 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused colluded with each other and created forged documents and by producing the same obtained loan to the tune of Rs.2.09 Crores from the Punjab National Bank and caused wrongful loss to the said bank. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and she has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for more than 70 days from 22.11.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would raise objection stating that the petitioner has acted as a Principal and gave power of attorney to A3 based on which, A3 executed a settlement deed in favour of A2 and thereafter, A2 executed a sale deed and by pledging the said sale deed in Punjab National Bank, they obtained loan to the tune of Rs.2.09 Crores but admits that co-accused has been released on bail with certain conditions with regard to cancellation of document which were created by him and the investigation is almost completed.

5. Considering the above facts and circumstances of the case and the fact that co-accused has been granted bail by this Court and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

(a) Accordingly, the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.179 of 2021) and on proof of such deposit, the petitioner is ordered to be released on bail on executing her own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter on her release;

(b) the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the Learned Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai, within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner shall report before the respondent police on every Monday, Wednesday and Saturday at 10.30 a.m. until further orders. The petitioner shall also appear for the proceedings conducted by the District Registrar without fail.



(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;

(g) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial 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];

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-
03/02/2022

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 METROPOLITAN MAGISTRATE,
CCB & CBCID, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH-I POLICE,
CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.KALIDASAN Advocate on payment of necessary
charges

CRL OP.2444/2022

Date :03/02/2022

MK:04/02/2022