



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM:

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

Cr1.O.P.No.3871 of 2022

Shobanapriya

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
District Crime Branch,
Coimbatore District.
(Crime No.24 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
by the respondent police concerned in crime No.24 of 2021, on the file
of the respondent Police.

For Petitioner : Mr.R.Sasikumar

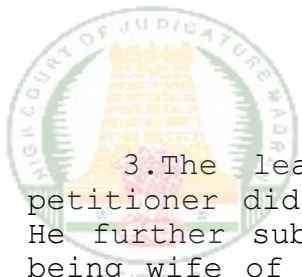
For Respondent : Mr.L.Baskaran

Government Advocate (Cr1. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offence under Sections 406, 420 &
468 of IPC, in Crime No.24 of 20201 on the file of the respondent
seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the wife
of the first accused. It is alleged that the petitioner along with A1
have induced the defacto complainant and collected more than fifty
lakhs rupees for the purpose of getting Government job. Thereafter,
the petitioner neither secured job nor return the money, which led to
filing of the complaint.



3. The learned counsel for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution. He further submitted that the petitioner implicated only because of being wife of A1. He further submitted that co-accused was already released on bail. However, on his own volition, without prejudice to his rights, petitioner is ready to deposit a sum of Rs.5,00,000/- in the crime No.24 of 2021. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner along with other accused persons cheated a sum of Rs.50,00,000/- from the victims. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the co-accused/A1 was released on bail and the petitioner is ready to deposit a sum of Rs.5,00,000/- in the crime No.24 of 2021, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Mettupalayam, Coimbatore, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties 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.5,00,000/- (Rupees Five Lakh Only) to the credit of crime No.24 of 2021 on the file of the Judicial Magistrate Mettupalayam, Coimbatore within three weeks from the date of receipt of copy of this order. On such deposit, the petitioner is order to be released on bail, failing which, the bail granted by this Court stands canceled automatically;

[b] On such deposit, the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter as and when required for an 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 has been imposed and the petitioner is 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]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-

10/03/2022

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,
METTUPALAYAM, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE DISTRICT,

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.3871/2022

Date :10/03/2022

JPA 15/03/2022