



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventeenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.3908 of 2022

M.SUDHA

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU REP BY
THE INSPECTOR OF POLICE,
ARACHALUR POLICE STATION,
5P72+PFJ, ARACHALUR,
ERODE,TN 638101.
(CRIME NO.56 OF 2022)

[RESPONDENT]

For Petitioner : MR.M.L.JOSEPH

For M/S.CHENNAI LAW ASSOCIATES Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

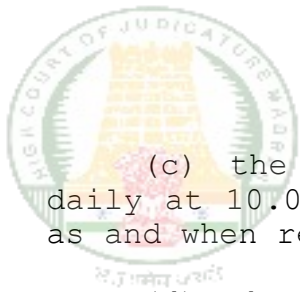
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 420 of IPC, in Crime No.56 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has paid a sum of Rs.2,00,000/- to the petitioner and her husband for securing employment in Aavin Milk, Tiruppur and since, the petitioner has not secured employment to the defacto complainant as well as refused to return the amount, the defacto complainant has lodged a complaint before the respondent police. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that in the alleged occurrence the petitioner herein being the wife of the 1st accused received only Rs.10,000/-



(c) the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of thirty (30) days and thereafter 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]; and;

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

-sd/-
17/02/2022

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-II,
ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARACHALUR POLICE STATION,
5P72 PFJ, ARACHALUR,
ERODE, TN 638101.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

+1CC to M/S.CHENNAI LAW ASSOCIATES Advocate on payment of
necessary charges SR.No.2640

CRL OP.3908/2022

Date :17/02/2022

CSK 21/02/2022