



Crl.O.P.No.5692 of 2022

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Dr.G.JAYACHANDRAN, J.,

The petitioner who apprehends arrest at the hands of the respondent Police for the alleged offences under Sections 408, 420 and 506(1) of IPC, in Crime No.43 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Based on the complaint given by the partner of the SD Finance, alleging the misappropriation and cheating to the tune of Rs.2 Crores, the respondent Police has registered a case against one Suresh and his mother Sundari. The Suresh is none other than the erstwhile partner of the defacto complainant and the petitioner, who is before this Court is the mother of the said Suresh.

3. Reading of the First Information Report indicates that the defacto complainant and the son of the petitioner herein, were the partners in the finance business and there was some disputes regarding apportionment of the investment.

4. Though, the First Information Report states that the money was



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misappropriated by the said Suresh and invested in his name and his mother name, the learned Government Advocate (Crl.Side) states that so far no material has been given by the defacto complainant to substantiate these averments.

5. Considering the above facts, 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 her appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate No.I, Chidambaram***, on condition that the petitioner shall execute a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled and on further condition that:

(a) 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;

(b) **the petitioner shall report before the Investigating Officer daily at 10.30 a.m., until further orders.**

(c) the petitioner shall not tamper with evidence or witness



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either during investigation or trial;

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

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

11.03.2022

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