



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10432 of 2022

YAMINI PREETHA

[PETITIONER / ACCUSED]

Vs

STATE RE BY
THE INSPECTOR OF POLICE,
CCB=1 POLICE,
CHENNAI.
CRIME NO.76 OF 2020

[RESPONDENT]

For Petitioner : M/S RAJESWARI KARTHIKEYAN Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

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 offences punishable under Sections 120B, 420, 465, 467, 468 & 471 of IPC in Crime No.76 of 2020, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant, who is the Zonal Manager of Punjab Sindh Bank, is that the petitioner colluded with the other accused had furnished fake I.T. Returns and other documents for the purpose of obtaining loan from the de facto complainant bank and availed four vehicle loans. Later, the petitioner had furnished fake documents as if the vehicles were purchased and totally cheated the bank to the tune of Rs.2,14,00,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has already been granted anticipatory bail by this Court in CrI.O.P.No.14116 of 2020 dated 30.09.2020. However, the petitioner could not able to comply with the condition of depositing the



original sale deed of the immovable property bearing document No.1074/1967 to the credit of the Crime No.76 of 2020. He would further submit that she is now ready and willing to comply by the conditions. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would vehemently opposed stating that the petitioner colluded with other accused and furnished fabricated documents and availed loan to the tune of Rs.2,14,00,000/- and without purchasing the vehicles, the petitioner had cheated the Bank. He would further submit that so far as the petitioner is concerned, the loan availed is Rs.15 Lakhs. He further submitted that the investigation is almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering submission made by the learned counsel appearing for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit the original sale deed of the immovable proper bearing document No.1074/1967 to the credit of the Crime No.76 of 2020, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the CCB & CBCID Court, Egmore, on condition that and the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter every Monday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
07/06/2022

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 CCB & CBCID COURT,
EGMORE.

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

3 THE INSPECTOR OF POLICE,
CCB=1 POLICE,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S RAJESWARI KARTHIKEYAN Advocate on payment of
necessary charges SR.NO.8543

CRL OP.10432/2022

Date :07/06/2022

JPA 13/06/2022