



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9264 of 2022

P.MUTHULAKSHMI

[PETITIONER / ACCUSED]

Vs

STATE, REP BY
THE SUB INSPECTOR OF POLICE,
F1-CHINTADARIPET CRIME POLICE STATION,
TRIPPLICANE, CHENNAI CITY.
(CRIME NO.91/2022)

[RESPONDENT]

For Petitioner : M/S.N.VIJAYA BASKER, Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (CrI. Side)

For Intervener : M/S.M.K.AJITH KUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehending arrest for the alleged offence under Section 406 & 420 of I.P.C., in Crime No.91 of 2022, on the file of respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest on the complaint given by the owner of M/s.Smart Marine Services Private Limited, alleging that, the petitioner is the proprietor of M/s.Visalatchi Traders and owing to the long standing business transaction prevailing for the past 7 years. A sum of Rs.60 lakhs was advanced as loan to the petitioner herein in the year 2018. The petitioner and her husband, who promised to repay the money, but failed to do so. As of now, they have paid around Rs.11 Lakhs. Hence, case of cheating has been filed against them. The husband of



the petitioner was already arrested and remanded to judicial custody. This petitioner alleged to have evading summons served by the police, now before this Court seeking anticipatory bail.

3. The Learned Counsel for the defacto complainant also present and submits that, the petitioner herein who has borrowed the money with intention to cheat, not even cooperating with the investigation and not paid the money back.

4. Considering the objections and facts, this Court is inclined to grant anticipatory bail. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Metropolitan Judicial Magistrate Court No.XIV, Egmore, Chennai, on condition that, the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 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 appear before the Investigating Officer, daily at 10.30 a.m., for a period of 30 days.

(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 anticipatory 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.

WEB COPY

-sd/-

22/04/2022

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,
NO.XIV, EGMORE, CHENNAI.

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

3 THE SUB-INSPECTOR OF POLICE,
F1-CHINTADARIPET CRIME POLICE STATION,
TRIPPLICANE, CHENNAI CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.LAW VISION Advocate on payment of necessary charges
SR.NO. 6159

+1 CC to M/S.M.K.AJITH KUMAR Advocate on payment of necessary
charges SR.NO. 6130

CRL OP.9264/2022

Date :22/04/2022

RW 27/04/2022