



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10550 of 2022

K.YAMUNA

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
R-8 VADAPALANI POLICE STATION,
CHENNAI-600026.
CRIME NO.78 OF 2022.

[RESPONDENT]

For Petitioner : M/S.R.VENKATESH 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 406, 420, 465, 467, 468 and 471 of IPC Act 1860 in Crime No.78 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the petitioner was working was working as a hospital staff at SIMS Hospital, Vadapalani, she has misappropriated a sum of Rs.9,49,000/- from the defacto complainant's bank. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.9,49,000/- (Rupees Nine lakhs and forty nine thousand only) to the credit of crime No.78 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the total cheated amount to the tune of Rs.9,49,000/- and hence, he opposed for granting anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.9,49,000/- (Rupees Nine lakhs and forty thousand only) to the credit of Crime No.78 of 2022, 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 learned XI Judicial Magistrate, Saidapet on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two blood 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 deposit a sum of Rs.9,49,000/- (Rupees Nine lakhs and forty nine thousand only) to the credit of Crime No.78 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.



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

-sd/-
13/06/2022

WEB COPY

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,
NO.XI, SAIDAPET, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
R-8 VADAPALANI POLICE STATION,
CHENNAI-600026.

+1 CC to M/S.R.VENKATESH Advocate on payment of necessary charges SR.NO.8938

CRL OP.10550/2022

Date :13/06/2022

TA-21/06/2022