



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13253 of 2022

SAGAYA REENA

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
N-2, KAASIMEDU POLICE STATION,
CHENNAI.
CRIME NO.57 OF 2022

[RESPONDENT]

For Petitioner : M/S.P.PONBALAJI Advocate

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

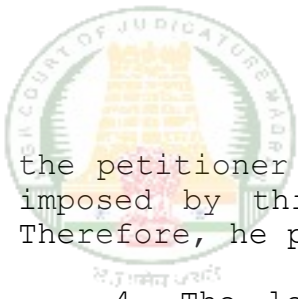
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 of IPC in Cr.No.57 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the the accused have collected a sum of Rs. 50,000/- (Rupees Fifty Thousand Only) from 30 victims each, with regard to transferring the allotment of their respective houses by the Tamil Nadu Slum Clearance Board, from Kargil Nagar to near the city of Chennai. Thereafter, the petitioner failed to get any allotment order of the house near the city of Chennai, and also refused to return the said amount which received from the victims.

3. The learned counsel appearing for the petitioner stated that the petitioner borrowed a sum of Rs.3,00,000/- from one Ms.Samudhra Devi and the petitioner could not be able to return the same because of COVID-19 pandemic. Therefore, the de-facto complainant lodged a false complaint as against petitioner. He would further submit that



the petitioner is ready and willing to deposit a reasonable amount as imposed by this Court without prejudice to her right to defence. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the total cheated amount to the tune of Rs.15,00,000/- (Rupees Fifteen Lakhs only) and hence, opposed for grant of 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.5,00,000/-/- (Rupees Five Lakhs only) to the credit of Crime No.57 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 XVI Metropolitan Magistrate, George Town, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 deposit a sum of Rs5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No.57 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 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., until further orders 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/-
09/06/2022

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 METROPOLITAN MAGISTRATE,
NO.XVI, GEORGE TOWN, CHENNAI

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

3 THE INSPECTOR OF POLICE,
N-2, KAASIMEDU POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.PONBALAJI Advocate on payment of necessary charges SR.NO.8730

CRL OP.13253/2022

Date :09/06/2022

JPA 21/06/2022