



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.13534 of 2022

G.SUGANYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
CCB POLICE STATION,
TIRUPPUR CITY.
CR.NO.03 OF 2021.

[RESPONDENT]

For Petitioner : M/S R.PRABAKAR Advocate

For Respondent : MR.S.UDAYA KUMAR, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 120B, 406, 465, 417, 420 IPC in Crime No.3 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.It is the second anticipatory bail petition filed by the petitioner in Crime No.3 of 2021 where it is alleged that the petitioner and her husband has enticed the general public offering car seized by Bank at low cost. The husband of the petitioner who is one of the accused has already been arrested and granted bail subsequently.

3.This petitioner is alleged to have received Rs.5 lakhs through bank transaction from one of the victims. When she approached this Court for anticipatory bail earlier, this Court considering the fact dismissed the anticipatory bail petition on 28.02.2022.



4.Learned counsel for the petitioner would submit that the investigation is almost completed and the custodial interrogation of the petitioner is not required. Hence, the anticipatory bail may be granted.

5.Learned Public Prosecutor appearing for the respondent states that they were not able to secure the petitioner herein and hence, the final report could not be filed. However, there is no material to show that the respondent police take any attempt to serve summons on the petitioner for interrogation. Even after the dismissal of the anticipatory bail, there is no progress in the investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Tiruppur, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 and on further conditions that:

(a) the petitioner and the sureties shall affix his 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 not tamper with evidence or witness either during investigation or trial;

(c)the petitioner shall report before the Investigating Officer as and when required.;

(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 has 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]; and;



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

-sd/-
14/06/2022

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.III, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CCB POLICE STATION,
TIRUPPUR CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S R.PRABAKAR Advocate on payment of necessary charges
SR.NO.9091

CRL OP.13534/2022

Date :14/06/2022

JPA 17/06/2022