



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.No.14083 of 2022

Ameena Begum

..Petitioner

Vs.

State Represented by its
The Station House Officer,
D. Nagar Police Station,
Puducherry.
(Crime No.85 of 2022)
(Cause Title amended as per
order dated 22.06.2022 in
Crl.M.P.No.7934 of 2022)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail by the respondent in Crime No.85 of 2022 on the file of the respondent Police.

For Petitioner : Mr.D. Padmanabhan

For Respondent : Mr.V. Balamurugane
Public Prosecutor for Puducherry

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.05.2022 for the alleged offences under Sections 406, 420, 468 and 471 of IPC in Crime No.85 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, along with others, were forged by one Mullai Group at Mettur. The petitioner was also got forged along with the defacto complainant. The defacto complainant and petitioner were acquainted and in such friendship, the petitioner had told her that she is running a textile shop at Puducherry and asked the defacto complainant to invest in the business. The defacto complainant, along with her other friends, invested money in the business. Subsequently, the petitioner had paid Rs.1,00,000/- to each person who had invested in her business as profit and after that she had stopped paying. Thereafter, the



defacto complainant and others came to Puducherry and enquired the petitioner and the petitioner had reported that she had invested in some other business and subsequently she had changed her residence and blocked all the phone numbers. Hence, the complaint.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would also submit that the petitioner was arrested and remanded to judicial custody on 07.05.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Public Prosecutor for Pondicherry appearing for the respondent would submit that though the petitioner is also one of the victim by Mullai Group at Mettur, in the name of Mullai Group, the petitioner had collected money from the other victims to the tune of nearly 17 lakhs and so far as, they recovered for a sum of Rs.3,00,000/- only. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Puducherry and on further conditions that :-

[a] 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 daily at 10.30 a.m., and 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation.

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

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

[d] 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.

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-sd/-

22/06/2022

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 JUDICIAL MAGISTRATE,
NO.I, PUDUCHERRY.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY [FOR INFORMATION]

3 THE STATION HOUSE OFFICER,
D.NAGAR POLICE STATION,
PUDUCHERRY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUDUCHERRY.

5 THE PUBLIC PROSECUTOR
PUDUCHERRY

+1CC to M/S.D.PADMANABHAN Advocate on payment of necessary
charges SR.No.9728

CRL OP.14083/2022

Date :22/06/2022

CSK 23/06/2022