



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

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

Cr1.O.P.No.14762 of 2022

Dhanalakshmi

..Petitioner

Vs.

State Rep. By:-

Inspector of Police

K-6 T.P.Chatram Police Station,
Chennai.

(Crime No.96 of 2022).

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to grant bail to the petitioner in Crime No.96 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Purushothaman Reddy

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2022 for the offence punishable under Sections 420 and 406 of IPC, in Crime No.96 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 projected himself as the owner of a house and swindled a sum of Rs.11 Lakhs from the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the petitioner was arrested and remanded to judicial custody on 21.05.2022. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally 3 accused in which the petitioner is arrayed as A2. She is the wife of the first accused. Even according to the prosecution, the accused persons received a sum of Rs.11 Lakhs from the defacto complainant, as if they are the owner of the property and leased out the same. Thereafter, the accused persons refused to return the amount. As far as the petitioner is concerned, she is the wife of the first accused and the first accused was already arrested and remanded to judicial custody. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, taking note of the fact that the petitioner is in judicial custody from 21.05.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 V Metropolitan Magistrate Court at Egmore, Chennai 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 Morning at 10.30 a.m. and Evening 05.00 p.m, until further orders.

[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.

[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 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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27/06/2022

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.V, EGMORE, CHENNAI.

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

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, PUZHAL,
CHENNAI.

4 INSPECTOR OF POLICE,
K-6, T.P CHATRAM POLICE STATION,
CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to V.PURUSHOTHAMAN REDDY. Advocate on payment of necessary charges SR.NO. 10115

CRL OP.14762/2022

Date :27/06/2022

RW-27/06/2022