



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14993 of 2022

A.JAYALIN

[PETITIONER / ACCUSED]

Vs

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

[RESPONDENT]

For Petitioner : M/S.C.V.KUMAR Advocate

For Respondent : M/S.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 420 and 406 of IPC in Crime No.57 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused viz., A1, who is none other than the daughter of the petitioner, has collected a sum of Rs.50,000/- each from 30 victims to get house allotment in alternative place instead of K.P.Karkil Nagar. Thereafter, the accused person neither get the allotment in and around the city of Chennai nor repaid the said amount to the 30 victims. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the petitioner



is ready to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No. 57 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is arrayed as A2 and her own daughter is arrayed as A1. Both have collected a sum of Rs.50,000/- each from 30 victims, who were originally allotted housing plots in Karkil Nagar. The accused assured them that they would get housing plots near Chennai and received a sum of Rs.50,000/- from each of the victim. Hence, he vehemently 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 is 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 Rs.5,00,000/- (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 is made ready.

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

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

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



[f] 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].

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

-sd/-

30/06/2022

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 POLICE STATION,
ROYAPURAM CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.V.KUMAR Advocate on payment of necessary charges
SR.NO. 10400

CRL OP.14993/2022

Date :30/06/2022

RW-08/07/2022