



CrI.OP.No.16489 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2022

CORAM

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

CrI.OP.No.16489 of 2022

Gayathri

..Petitioner/A2

Vs.

State Rep. by
Inspector of Police,
Central Crime Branch - I,
Vepery, Chennai – 600 007.
(Crime No.37 of 2019)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.37 of 2019 on the
file of Inspector of Police, CCB-I, Vepery, Chennai/Respondent police
herein.

For Petitioner : Mr.M.R.Jothiamanian

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

ORDER

The petitioner, who was arrested and remanded to judicial



CrI.OP.No.16489 of 2022

custody on 09.06.2022 for the offence under Sections 406, 420 r/w 34 of IPC and Section 76(1) of Chit Funds Act 1982 in crime No.37 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner herein along with A1 had collected amounts from various persons including the *de-facto* complainant in the name of chit Funds and thereafter they have failed to repay the said Chit amount to the subscribers. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that alleged occurrence is said to have taken place on 01.05.2017 to 30.09.2018 and the complaint was lodged on 02.02.2019.

4. Totally there are 3 accused, in which the petitioner is arrayed as A2. Even, according to the case of the prosecution, Chit was conducted in the house of the petitioner by A1. In fact, the petitioner is also one of the victims who subscribed by paying Rs.5,00,000/- to the A1.



WEB COPY



CrI.OP.No.16489 of 2022

5. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of her arrest i.e. 09.06.2022, 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 sureties, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate, CCB Court, 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 at 10.30 a.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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



Crl.OP.No.16489 of 2022

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.

15.07.2022

mpl



WEB COPY



Crl.OP.No.16489 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Metropolitan Magistrate,
CCB Court, Egmore, Chennai.
- 2.The Inspector of Police,
Central Crime Branch - I,
Vepery, Chennai – 600 007.
- 3.Sub-Jail, Women,
Saidapet, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.16489 of 2022

15.07.2022