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CrI.OP.No.20934 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

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

CrI.OP.No.20934 of 2022

Neelafar

...Petitioner

Vs.

The Inspector of Police,
S.H.O, District Crime Branch,
Cuddalore.
(Cr. No.33/2022).

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No. 33 of 2022 on the
file of Inspector of Police, Station.

For Petitioner	: Mr.R.Mukesh Kannah
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 26.07.2022 for the offences punishable under Sections 406
and 420 of IPC in crime No.33 of 2022 on the file of the respondent
police, seeks bail.



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2. The case of the prosecution is that in a business transaction, the petitioner along with other accused persons were alleged to have cheated the *de-facto* complainant to tune of about Rs.7,00,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 26.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that there are totally 4 accused, in which the petitioner is arrayed as A1. He further submitted that the accused persons had procured 10 Tons of Urad beans from the *de-facto* complainant to the tune of Rs.7,24,000/- and subsequently, they failed to pay the amount.

5. It is a business transaction. That apart, the petitioner was arrested and remanded to judicial custody on 26.07.2022.



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6. Considering the above facts and circumstances of the case, 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 District Munsif-Cum-Judicial Magistrate, Kattumannarkoil**, 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 two 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 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.**



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State of Kerala [(2005)AIR SCW 5560].

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

02.09.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The District Munsif-Cum-Judicial Magistrate,
Kattumannarkoil.
- 2.The Inspector of Police,
S.H.O, District Crime Branch,
Cuddalore.
- 3.Women Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.

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