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CrI.OP.No.21164 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.21164 of 2022

Anisha K S

..Petitioner

Vs.

State rep. by
Inspector of Police,
City Crime Branch Police Station,
Coimbatore.
(Crime No.17 of 2021)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in C.C.No.1861 of 2021 on the
file of Hon'ble Judicial Magistrate No.7, Coimbatore.

For Petitioner : Mr.N.Ponraj

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 25.07.2022 for the offences punishable under Sections 465,



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408, 467, 471 and 420 of IPC in crime No.17 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that in the year 2016, the *de-facto* complainant invested a sum of Rs.3 Lakhs with Muthoot Mini Financiers in which one Vinod was then working as Manager and received interest. Later, in the year 2018, the petitioner contacted him by impersonating her as new Manager and enquired about his interest to invest money. Then, the *de-facto* complainant contacted the then Manager Vinod who also praised the petitioner and her company. Subsequently, on various occasions, the *de-facto* complainant invested a sum of Rs.82,00,000/- with Muthoot Mini Financiers but no amount was given. While so, on enquiry, the *de-facto* complainant came to know that the petitioner transferred the said amount to her own account and swindled the money. Out of Rs.82,00,000/- the petitioner repaid a sum of Rs.10,00,000/- and the balance amount of Rs.72,00,000/- has to be paid. Hence, the complaint.



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3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 25.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that this Court in CrI.O.P.No.11847 of 2021 dated 31.08.2021 cancelled the bail granted to the petitioner by the lower Court. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also the period of incarceration by the petitioner from the date of her arrest i.e., 25.07.2022, 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 Judicial Magistrate No.7, Coimbatore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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 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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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate No.7, Coimbatore.
- 2.The Inspector of Police,
City Crime Branch Police Station,
Coimbatore.
- 3.Central Jail, Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras

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