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Crl.OP.No.22004 of 2022

Crl.O.P.No.22004 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 406, 420 IPC in Crime No.727 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused conducted chit business and swindled the account of the defacto complainant to the tune of Rs.4,00,000/-. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A3 and she is the wife of the first accused and she is nothing to do with the affairs of the company. However, she has been falsely roped into this case. He would further submit that her husband has been arrested and enlarged on bail on condition to deposit an amount of Rs.1,00,000/-. Hence, he prays to grant anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with her husband conducted unregistered chit and cheated the defacto complainant to the tune of Rs.4,00,000/-. He would further submit that the investigation had been completed and filed report has been filed and the case has been taken up on trial in C.C.No.26 of 2022 on the file of the learned Judicial magistrate, Ambattur, Tiruvallur District. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into account of the fact that the investigation has been completed and the case has been taken up for trial in C.C.No.26 of 2022, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:-

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambattur, Tiruvallur District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty



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Five Thousand only) with two blood related 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 report before the learned Judicial Magistrate, Ambattur, Tiruvallur District daily at 10.30 a.m. for a period of two weeks and thereafter on all the hearing dates, without fail.

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

[d] the petitioner shall not abscond 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



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

13.09.2022

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