



CrI.O.P.No. 23416 of 2022

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A.D.JAGADISH CHANDIRA.J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 IPC in Crime No.562 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner induced the de-facto complainant and received an amount of Rs.9,00,000/- and cheated the de-facto complainant. Hence, a case was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner received a sum of Rs.2,00,000/- from the de-facto complainant and has agreed to pay interest and she has also executed sufficient security in stamp papers. The de-facto complainant, who is a usurious money lender and had demanded interest at the rate of 10% from the petitioner and so far the petitioner has paid more than Rs.10,00,000/- towards interest and unable to bear the harassment, the petitioner has become mentally affected and subsequently, her husband has filed a private complaint under Section 200



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CrPC., in C.M.P.No.742 of 2022 on the file of the learned Judicial Magistrate, Madukkarai, against the de-facto complainant and her friends for harassment of the petitioner.

4. The learned counsel for the petitioner would further submit that in order to show her bonafide, she is ready and willing to deposit the original title deeds of documents worth about Rs.10,00,000/- before the Court. Hence, he prays for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Criminal Side) would submit that the petitioner induced the de-facto complainant and received an amount of Rs.9,00,000/- and thereafter, she cheated her. He would further submit that the investigation is pending at the initial stage.

6. Taking note of the facts and circumstances and a private complaint against the de-facto complainant under Section 200 CrPC., in C.M.P.No.742 of 2022 on the file of District Munsif Cum Judicial Magistrate, Madukkarai has been filed and also the undertaking given by the petitioner to deposit the original title deeds of immovable property worth about Rs.10,00,000/-, this



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Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, 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 District Munsif Cum Judicial Magistrate, Madukkarai**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 stands 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 respondent police every day at 10.30 a.m. for a period of two weeks and thereafter, every Saturday and Sunday at 10.30 a.m. until further orders.

[c] the petitioner shall deposit the original title deeds of immovable



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property worth about Rs.10,00,000/- either belonging to herself or her relatives/friends before the Court below.

[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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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