



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24665 of 2021

N.Anusiya Devi

... Petitioner

Versus

State represented by  
The Inspector of Police,  
District Crime Branch,  
Thiruvallur District.  
(Crime No.80 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of her arrest by the respondent police concerned in Crime No.80 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.I.Periyaswamy

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

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O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 420, 465, 468 and 506(i) of IPC in Crime No.80 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that in September 2016 A1 has made false promise that he and A2 have influence in Railway Department as such they will procure jobs in railway believing the same the defacto complainant paid a sum of Rs.8,00,000/- to get job for his sons. It is further alleged that he also introduced various persons who paid total amount of Rs.58,71,000/-. Thereafter, an appointment order from western railway was given for Kalasi Job at Ratlan Railway station at Gujarat, the identity card was also issued and asked the candidate to note the timings of trains for 6 months as probation when they verified with the railway department he came to



know it was forged and he was cheated when the defacto complainant asked for the repayment of money the A1 and other accused intimidated with dire consequences. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is the wife of A1. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner is a Government School Teacher, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate - I, Ponneri, on condition that the petitioner shall execute 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 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 is directed to deposit a sum of Rs.6,00,000/- (Rupees Six Lakhs only) to the credit of the Crime No.80 of 2021 and the victim is permitted to withdraw the same without prejudice to the right and contentions within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30 a.m., until further orders;

[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 anticipatory 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].

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

-sd/-

05/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, PONNERI, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S. R.SURESH KUMAR Advocate on payment of necessary charges

CRL OP.24665/2021

Date :05/01/2022

RW 10/01/2022