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Crl.O.P.No.25066 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.25066 of 2022

Mrs.K.Manjupriya

... Petitioner

Vs.

The State, rep.by
The Inspector of Police,
Central Crime Branch - I,
Chennai District.
(Crime No.123/2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in Crime
No.123 of 2022 for the offence under sections 406, 420 r/w 34 of IPC on the
file of the Respondent Police.

For Petitioner : Mr.G.Ilammurugu

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.09.2022, for the offences punishable under Sections 406, 420 r/w 34 of IPC, in Crime No.123 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that the accused induced him in the guise of getting him job in Ship and had cheated him to the tune of Rs.3,20,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the main accused has promoted a company in the name of Center Marine Studies(CMS) and the petitioner was only appointed as an employee in the company for a monthly salary of Rs.15,000/- and the role assigned to the petitioner was to call the applicants and other than that the petitioner has not committed any offence. He would also submit that the main accused have been arrested and subsequently, enlarged on bail. He would further submit that the petitioner was arrested on 19.09.2022 and she is in custody for more



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than a month. He would also state that the main accused were taken into police custody and they were returned to judicial custody and as far as this petitioner is concerned, she was not taken into police custody and the further custody of the petitioner may not be required. Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the main accused has been enlarged on statutory bail and A1 has been detained under Act 14. He would also submit that the petitioner was employed as a Tele-caller in the organization run by the main accused and the main accused have cheated the defacto complainant to the tune of several Crores from several victims. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record..



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6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and that the allegation against the petitioner is that she is only an employee, who had made calls to the victims on the instructions of the main accused, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate Court for CCB and CBCID Cases, Chennai**, 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., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



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

17.10.2022

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To

1. The learned Metropolitan Magistrate Court
for CCB and CBCID cases at Chennai.
2. The Inspector of Police,
Central Crime Branch - I,
Chennai District.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA., J.

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