



Crl.O.P.No.27775 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

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

Crl.O.P.No.27775 of 2022

Mahalakshmi

... Petitioner

Vs.

The State represented by,
The Deputy Superintendent of Police,
Crime Branch CID, Metro Wing - II,
Egmore, Chennai.

(Crime No.2 of 2021)

... Respondent

Prayer: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in Crime No.2
of 2021 on the file of the respondent Police.

For Petitioner : M/s.D.Umadevi

For Respondent : Mr.C.E.Pratap



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Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.10.2022, for the offences punishable under Sections 420, 465, 467, 468 & 471 of IPC, in Crime No.2 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant/Dharaneeswaran, Deputy Director, Office of the Advocate General of Tamil Nadu, High Court of Madras is that the accused induced the gullible persons informing that they could get jobs in the office of the Advocate General of Tamil Nadu, High Court of Madras, had received a huge amounts from them and thereafter, by issuing fabricated forged appointment orders, cheated them. Further they have also forged the signature of the Registrar General, High Court of Madras and misused the seals of the Advocate General, High Court of Madras. Hence the case.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the allegations as against the petitioner is that on the instructions given by the main accused, she had collected amount from the victims and handed it over to the main accused, for which she has received commission from the main accused. He would also submit that the petitioner is in custody from 20.10.2022, whereas, her husband died on 15.10.2022 by committing suicide and she has to take care of her two minor children. He would also state that the main accused against whom the allegations are serious has been granted with bail by this Court in Crl.O.P.No.18262 of 2022 dated 02.08.2022 and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner, who is arrayed as A9 in this case, along with the other accused have induced the gullible persons under to guise of getting job in the office of the Advocate General of Tamil Nadu, High



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Court of Madras, had received huge amounts from them and cheated them by issuing fabricated appointment orders with forged signature of the Registrar General, High Court of Madras and also by misusing their seals. Hence, he would oppose for grant of 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.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also considering the petitioner being lady and the fact that the co-accused have been granted with bail by this Court, this Court is inclined to grant bail to the petitioner.

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)** with **two sureties**, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate Court for CCB & CBCID Metro**



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Cases, Egmore, 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, everyday at 10.30 a.m., until further orders;

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



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To

1. The Metropolitan Magistrate Court
for CCB & CBCID Metro Cases,
Egmore, Chennai.
2. The Deputy Superintendent of Police,
Crime Branch CID, Metro Wing - II,
Egmore, Chennai.
3. The Central Prison for Women,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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