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Crl.O.P.No.30000 of 2022  
and Crl.M.P.No.19171 of 2022

**T.V.THAMILSELVI, J.**

The petitioners, who apprehend arrest for the alleged offence under Sections 409, 420 r/w 120-B of IPC in Cr.No.6 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners husband/father along with three others had conspired among themselves and had cheated the defacto complainant to the tune of Rs.5,46,00,000/-. The defacto complainant had transferred several amounts to the petitioners husband/father through RTGS and cash from April 2019 to May 2020. Hence the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned counsel for the intervener submitted that the intervener



is the Managing Trustee cum Treasurer, Sethu Educational Trust, No.477, 10th Cross street, Anna Nagar, Chennai sought financial assistance to develop his college through a mediator/accused Sudha and approached A1 accused B.M.Reddy @ Muthuvel @ Lion Muthuvel and in turn the accused A1 has assured to arrange loan of Rs.200 crores and with condition that the intervener has to pay 2% as commission. Believing their words, the intervener paid more than Rs.5 crores on various dates and times between April 2021 to July 2021 through Bank and cash transaction. After receipt of the amount the accused neither arranged loan nor returned the cheated amount and thus cheated to a tune of Rs.5.46 crores. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. side) submits that the petitioners husband/father cheated the defacto complainant to the tune of Rs.5,46,00,000/-. He further submitted that the case is under investigation. Hence he opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Crl.Side), this Court is inclined to grant anticipatory bail to the 2<sup>nd</sup> petitioner alone with certain conditions since she is a law college student and as far as 1<sup>st</sup> petitioner is concerned anticipatory bail is dismissed since detail investigation has to be made in this case. Accordingly, the 2<sup>nd</sup> 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 of receipt of a copy of this order, before the learned **Metropolitan Magistrate, CCB Court, Egmore**, on condition that the 2<sup>nd</sup> petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 and on further condition that:

[a] the 2<sup>nd</sup> 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 2<sup>nd</sup> petitioner is directed to report before the respondent police as and when required for interrogation.

[c] the 2<sup>nd</sup> petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 2<sup>nd</sup> petitioner shall not abscond either during investigation or



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trial and shall surrender the passport if she possess.

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

**16.12.2022**

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