



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19/04/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.7075 of 2022

Reshma Dawood

... Petitioner/Accused No.3

Vs

State represented by
The Inspector of Police,
District Crime Branch,
Virudhunagar.
(Crime No.7 of 2018).

... Respondent/Complainant

For Petitioner : Mr.R.Ramasamy,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.7 of 2018 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.3, who was arrested and remanded to judicial custody on 28.02.2022 for the offences punishable under Sections 406, 420, 465, 467, 468, 471 IPC r/w 34 IPC and 506(2) IPC, in Crime No.7 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner received a sum of Rs.12,00,000/- from the defacto complainant after giving false promise that she would arrange job for him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has earlier filed an application in Crl.O.P.(MD)No.15352 of 2018 seeking anticipatory bail and this Court, vide order dated 18.09.2018, has granted anticipatory bail to the petitioner directing the petitioner to deposit a sum of Rs.5,00,000/- to the credit of Crime No.7 of 2018 before the learned Judicial Magistrate No.II, Virudhunagar. He would further submit that though the petitioner has deposited the said amount, she could not furnish the sureties, that despite getting of extension order, she could not



furnish the sureties and that therefore the petitioner was arrested on 28.02.2022 and is in judicial custody.

4.The learned Additional Public Prosecutor would submit that in pursuance of the direction of this Court, the petitioner has deposited a sum of Rs.5,00,000/- to the credit of Crime No.7 of 2018 and that the victim has already received the said amount from the concerned Court.

5.Considering the above facts and circumstances and also the facts that the petitioner was already granted anticipatory bail by this Court and that the petitioner is in judicial custody from 28.02.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 Judicial Magistrate No.II, Virudhunagar.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/04/2022

/ TRUE COPY /

19/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
 2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
VIRUDHUNAGAR.
 4. THE SUPERINTENDENT,
CENTRAL JAIL, PUZHAL.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.RAMASAMY, Advocate (SR-3488[I] dated 19/04/2022)

ORDER
IN
CRL OP(MD) No.7075 of 2022
Date :19/04/2022

CSM
USK/PN/SAR-III/19.04.2022/3P/7C