



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

Dated: 21/07/2022

PRESENT

**The Hon'ble Mr.Justice G.ILANGO VAN**

Crl.OP(MD)No.9288 of 2022

WEB COPY

S.Sheela

... Petitioner/Rank Not Known

**Vs.**

State rep. By  
The Inspector of Police,  
District Crime Branch,  
Nagercoil,  
(Crime No.53 of 2021)

... Respondent/Complainant

For Petitioner : Mr.V.Kathirvel, Senior Counsel  
for Mr.K.Jeya Mohan, Advocate

For 1<sup>st</sup> Respondent : Mr.R.M.Anbunithi  
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

**PRAYER: -**

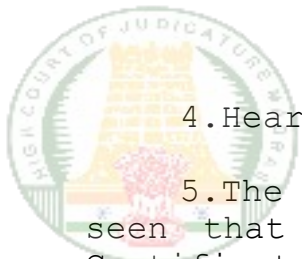
For Anticipatory Bail in Crime No.53 of 2022 on the file of the Respondent Police.

**ORDER :** The Court made the following order:-

The petitioner, who is arrayed as an accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 420, 465, 467, 468, 471 and 120(B) IPC, in Crime No.53 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the building, which belongs to Sri Mookambigai Medical College Hospital, Kulasekaram, was inspected by the Multi-storey Building Inspection Committee, on 26/11/2021. At the time of inspection, it was found that the certificate issued by the Fire Department, which is renewable certificate, found to be forged. On the basis of the above said occurrence, the complaint was lodged and the case was registered as stated above.

3.Seeking anticipatory bail, this petitioner, who is the wife of A1 moved this anticipatory bail petition on the ground that even as per the allegation, that has been made during the course of investigation, only the involvement of her husband has been noticed and so far as this petitioner is concerned, she is noway involved in the above said offence and simply because she happens to be the wife of A1, she was roped in this case.



4.Heard both sides.

5.The entire CD file has been called for and perused. It is seen that A1 is the man of culprit, who forged the Government Certificate for money and helped the institution called 'Sri Mookambigai Medical College Hospital, Kulasekaram, to put up and run the muti-storey building and the other persons have been implicated showing their involvement. But so far this petitioner is concerned, a bald allegation has been made to the effect that the money were deposited in her account. The Bank statement is also produced.

6.No doubt that money was either deposited or transferred to the account of the petitioner. But no material has been collected so far or even though the co-accused who were arrested and released on bail, have not spoken, anything about the involvement of this petitioner.

7.Whether the money, that has been deposited in the account of the petitioner is a profit of crime is the only issue to be investigated by the Investigating officer. So far as this petitioner is concerned, for that purpose, the custodial interrogation of the petitioner may not be required.

8.So this court is inclined to grant anticipatory bail to the petitioner on condition that she must appear before the respondent and cooperate with him to complete the investigation process. After investigation, the investigating officer thinks it fit that the custodial interrogation of the petitioner is necessary, he can move before the concerned court for appropriate relief.

9.Considering the above facts and circumstances of the case, **anticipatory bail is granted** to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.1, Nagercoil and on her executing 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 learned Magistrate concerned and the **petitioner shall appear before the respondent police, daily at 10.30 am until further orders.** The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

sd/-

21/07/2022

/ TRUE COPY /

/07/2022

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, 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.

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- TO
- 1 THE JUDICIAL MAGISTRATE NO.1, NAGERCOIL.
  - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.
  - 3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, NAGERCOIL.
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.JEYAMOHAN, Advocate ( SR-7556[I] dated 22/07/2022 )

ORDER  
IN  
CRL OP(MD) No.9288 of 2022  
Date :21/07/2022

RS/VR/SAR.1 (27.07.2022) 3P-6C