



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/09/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16694 of 2022

S.Geetha @ Geethanjali

... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Economic Offence Wing, Trichy
(Crime No.12/2022).
[Respondent is amended vide order dated
23.09.2022]

... Respondent/Complainant

For Petitioner : M/s.N.Kamesh,
Advocate.

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

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

PRAYER :-For Bail in Crime No.12/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 31.07.2022 for the offences punishable under Sections 417 and 420 r/w Sections 4 and 6 of Prize Chit and Money Cir. Schemes (Banning) Act, 1978, in Crime No.12 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with A1, with an intention to cheat the de-facto complainant and his team members, received a sum of Rs.78,00,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an employee of the first accused and it was wrongly mentioned in the FIR as if the petitioner is the wife of the first accused and she has not cheated any amount from the de-facto complainant. However, he would further submit that the petitioner shall abide any condition imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that it is a clear case of cheating and the petitioner along with A1 received a sum of Rs.78,00,000/-

<https://www.mhln.1050/judice>



that the amount was not yet recovered and the respondent p is also attached the petitioner's property worth about Rs.11,00,000/-.

5.Considering the facts and circumstances of the case and also considering the nature of the offence and also the fact that the petitioner is in judicial custody from 31.07.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Judicial Magistrate No.II, Pudukottai.

(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 is directed to deposit a sum of **Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit of Crime No.12 of 2022 before the learned Judicial Magistrate No.II, Pudukottai,** without prejudice to her rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

sd/-

23/09/2022

/ TRUE COPY /

23/09/2022

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 II
PUDUKOTTAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
- 3 THE SUPERINTENDENT,
WOMENS JAIL, TRICHY.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, PUDUKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16694 of 2022
Date :23/09/2022

SJI
MK/SBN/SAR.I/23.09.2022/3P/6C