



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2022

PRESENT

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

CRL OP(MD). No.19363 of 2022

Babitha Rose

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Valanadu Police Station,
Trichy District.
Cr. No. 141 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ebenezer T.A.,
Advocate.

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

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

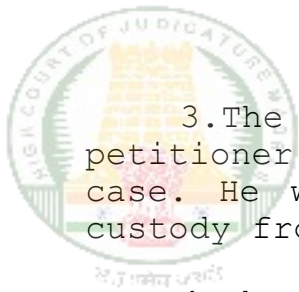
PRAYER :-

For Bail in Crime No.141 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 29.09.2022 for the offences punishable under Sections 420, 294(b) and 506(1) of IPC, in crime No.141 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is a trans-gender. The defacto complainant is a building contractor. He constructed a house to the petitioner. The petitioner has to pay the balance amount of Rs.11 lakh to the defacto complainant. But, she cheated him by saying that she is IAS Officer and received further amount of Rs.10 lakh from him to get contracts from Public Works Department. Thereafter, she did not get any contracts. Hence, the he demanded the money, she abused him in filthy language and threatened him with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 29.09.2022, hence she may be released on bail.

4.The learned Additional Public Prosecutor would submit that the total amount cheated by the petitioner is Rs.21 lakh. Further, she had cheated more persons by marrying them. He would further submit that the petitioner is having 3 previous cases and the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the facts that the amount involved in this case and the bad antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/11/2022

/ TRUE COPY /

/11/2022
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 INSPECTOR OF POLICE,
VALANADU POLICE STATION,
TRICHY DISTRICT.
2. THE SUPERINTENDENT,
SPECIAL WOMEN PRISON, TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19363 of 2022
Date :10/11/2022

dss
USK/SSS/SAR-I/16.11.2022/2P/4C

<https://www.mhc.tn.gov.in/judis>