



Crl.OP.No.9482 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.OP.No.9482 of 2023

Mahalakshmi

... Petitioner

Vs.

State Rep by
Inspector of Police,
District Crime Branch,
Tiruvallur District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.15 of 2023 on the file of the respondent police.

For Petitioner : Mr.P.Sesubalan Raja

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.04.2023 for the offences punishable under Sections 406, 420, 506(i), 120B read with Section 5 of the TNPID Act, 1997 in Crime No.15 of 2023 on the file of the respondent police, seeks bail.

2. There are totally four accused in this case. Petitioner is



CrI.OP.No.9482 of 2023

arrayed as 4th accused. Even according to the case of the prosecution, A1 and A2 were running scheme called “Days Plan Money Investment”. They collected an amount of about Rs.67 lakhs from the victim and his friends and thereby they cheated them. In so far as the petitioner is concerned, she is arrayed as 4th accused and she is the wife of the first accused. When the defacto complainant asked for return of money, she was threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is arrayed as A2 in this case and except the relation that she is the wife of A1, petitioner is nothing to do with the alleged occurrence. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that petitioner along with other accused were running scheme called “Days Plan Money Investment”. They collected an amount of about Rs.67 lakhs from the victim and his friends and thereby they cheated them. Hence, he opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and



Crl.OP.No.9482 of 2023

also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Special Judge under Tamil Nadu Protection of Interests of Depositors (in Financial Establishment) Act, 1997, Chennai - 104** and on further conditions that:

[a] 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 petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation.**

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness



CrI.OP.No.9482 of 2023

either during investigation or trial.

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[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.

05.05.2023

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To

Page 4 of 6



Crl.OP.No.9482 of 2023

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1. Special Judge under Tamil Nadu Protection
of Interests of Depositors (in Financial Establishment) Act, 1997,
Chennai - 104

2. Inspector of Police,
District Crime Branch,
Tiruvallur District.

3. Puzhal Prison,
Chennai.

4. The Public Prosecutor,
High Court of Madras



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CrI.OP.No.9482 of 2023

G.K.ILANTHIRAIYAN, J.

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CrI.O.P.No.9482 of 2023

05.05.2023