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CrI.OP.No.9994 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

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

CrI.OP.No.9994 of 2023

Priya

... Petitioner

Vs.

State Rep by
The Inspector of Police,
V-7, Nolambur Police Station,
Anna Nagar,
Chennai.
Crime No.71 of 2023

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.71 of 2023 on the file of the respondent police.

For Petitioner : Mr.R.Vivekananthan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.03.2023 for the offences punishable under Sections 403, 406, 420, 120B of IPC and Section 5 of TNPID Act in Crime No.71 of 2023 on the file of the respondent police, seeks bail.



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2. There are totally four accused in this case. Petitioner is arrayed as 4th accused. Even according to the case of the prosecution, A1 was running a scheme called “ART Profit” . Petitioner/A2 employed as a team leader. They collected an amount of about Rs.16,44,000/- from the defacto complainant and also assured to repay the said amount with huge interest. However, they did not returned the money, thereby they cheated him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is arrayed as A4 in this case and she is neither a Partner nor Director of the company, 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 cheated the defacto complainant to the tune of Rs.16,44,000/-. Hence, he opposed for grant of bail to the petitioner.



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5. Considering the facts and circumstances of the case and also the period of incarceration by the petitioner and also considering that petitioner has delivered a baby, in which, child is also inside the prison and considering the welfare of the child, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail 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 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.**



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or trial.

[c] the petitioner shall not abscond either during investigation

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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

Sma



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To

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1. Special Judge under Tamil Nadu Protection of Interests of Depositors (in Financial Establishment) Act, 1997, Chennai - 104
2. The Inspector of Police,
V-7, Nolambur Police Station,
Anna Nagar,
Chennai.
3. Central Prison for women,
Puzhal.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.9994 of 2023

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