



Crl.O.P.No.10566 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406 and 420 of IPC, in Crime No.07 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that the accused who are the family members has conducted unregistered chits and collected an amount to the tune of Rs.4 crores from several peoples and cheated them. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submitted that the first accused in this case is the mother and the second accused is the brother and the fourth accused is the father of the petitioner. He would further submit that the mother and brother were running a chit business and during covid period, they



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were unable to repay the amounts to various subscribers and thereby this case came to be registered. He would also submit that the defacto complainant has given the complaint against the family members of the petitioner, thereafter they were arrested by the respondent police and later they have been released on statutory bail. The father of the petitioner was earlier granted bail by this Court with a condition to deposit a sum of Rs.50 lakhs to the credit of Crime Number. However, he was unable to pay the said amount and later he was released on statutory bail. He would also submitted that during the relevant period, the petitioner was studying B.Tech @ Panimalar Engineering college and she is not at all involved in this business transactions. Hence, he would prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with her family members running an unregistered chits and as per the investigation an amount of Rs.4,78,350/- has been deposited into her account. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. The learned counsel for the intervenor would submit that the petitioner was also involved in the day to day business of the company and she has also received amounts. At this juncture, the learned counsel for the petitioner would submit that even as per the investigation only an amount of Rs.47 lakhs has been credited and the petitioner is ready and willing to deposit the original title deeds of immovable property worth about Rs.5 lakhs either belongs to the friends or relatives.

6. Heard both sides and perused the materials available on records.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days



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from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Cuddalore**, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 everyday at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.**

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



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[d] the petitioner shall not abscond 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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