



CrI.O.P.No.11287 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

CrI.O.P.No.11287 of 2023

Sharmila

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
DCB, Tiruvallur,
Crime No.15/2023

... Respondent

Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/A4 on bail in connection with the Crime
No.15/2023 on the file of the respondent police.

For Petitioners : Mr.A.Vijayasankar

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody



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on 17.04.2023, in connection with Crime No.15 of 2023 registered for the offence punishable under Sections 406, 420, 506(i) of IPC, and Section 5 of Tamil nadu protection of Interests of Depositors (in financial Establishment) Act, 1997 r/w Section 120(B) of IPC seeks bail.

2. The case of the prosecution as per the de-facto complainant is that A1 and A2 were running various schemes including Deepavali Fund. They collected an amount of Rs.17,22,000/- from the victim from 15.10.2021 to 10.09.2022. When the defacto complainant asked for return of money, she was threatened with dire consequences. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely roped into this case. He further submitted that the petitioner is only a worker of that company and she is no way connected with the alleged offence and she is in judicial custody from 17.04.2023. He further submitted that, co-accused was granted bail by this Court. He also submitted that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on her. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Additional Public Prosecutor appearing for the respondent submitted that there are totally four accused in this case and the petitioner is arrayed as A4. He further submitted that the petitioner cheated an amount to the tune of Rs.13,95,000/- However, he opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the submissions made by learned counsel on either side and also considering the period of incarceration undergone by the petitioner and also the fact that co-accused has been released on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of Crime No.15 of 2023**, without prejudice to her rights and contentions before the trial Court, on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned**



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Special Judge, TNPID Court, Chennai, 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., until further orders;

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

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

17.05.2023

gd/arb



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To

1. The Special Judge, TNPID Court,
Chennai - 104.
2. The Inspector of Police,
DCB, Tiruvallur.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN, J.

gd/arb

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