



Crl.OP.No.11996 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2023

CORAM

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

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Deepika

... Petitioner

Vs.

The State of Tamil Nadu
Reptd by its Inspector of Police,
CCB-I EDF-I
Vepery, Chennai District.
(Crime No.276/2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the Petitioner on bail concerned in Crime No.276 of 2022
pending investigation on the file of the Inspector of Police, CCB-I Police,
EDF-I Vepery, Chennai District, the respondent herein.

For Petitioner : Mr.A.V.Arun

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)



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ORDER

The Petitioner, who was arrested and remanded to judicial custody on 24.04.2023 for the offences punishable under Sections 406, 420, 120B of I.P.C in Crime No.276 of 2022 on the file of the Respondent Police, seeks bail.

2. The case of the prosecution is that the *de-facto* complainant is the Manager of New Bharath Steel Pvt. Ltd and they engaged in the business of steel TMT rods in whole sale as well as retail basis. It is alleged that the petitioner herein/A3 is working as Managing Partner in A1's company. In the month of November 2021, through A4, A1 who is the CEO of Trisul Steel and TMT bars got acquaintance with the *de-facto* complainant. Thereafter, A4 informed the *de-facto* complainant that they are going to start a new company in the name and style of Sakthi Groups at Naidupet, Andhra Pradesh. It is also that the A4 and A1 persuaded the *de-facto* complainant that they are going to produce TMT bars and supply all over Tamil Nadu. They also further insisted the *de-facto* complainant to pay a sum of



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Rs.1,00,00,000/- and they will return the money within a week after opening of the production plant. Believing the same the *de-facto* complainant transferred one Crore rupees to Trisul Steel Pvt Ltd and later sent money nearly Rs.3 Crores to the above said Company for supply of iron rods. After receiving the amount, the accused supplied iron rods worth about Rs.1,73,36,114/- to the *de-facto* complainant and failed to supply the balance iron rods worth about Rs.1,28,76,377/- and thus committed cheating. Hence, the complaint.

3. The learned Counsel appearing for the Petitioner would submit that the Petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that co-accused A1 has been granted bail by the trial Court and A4 has been granted bail by this Court. Therefore, he prays for grant of bail to the Petitioner.

4. The learned Government Advocate (Crl.side) appearing for the Respondent would submit that the petitioner is ranked as A3. The specific allegation against the petitioner is that she is responsible for the day-to-day



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affairs of the business of the A1's company. He would further submit that A1 was arrested on 19.01.2023 and subsequently released on mandatory bail by the trial Court. A4 was also granted bail by this Court. A5 to A10 and other accused are still absconding. He would further states that the investigation is pending and if the Petitioner is let out on bail, the investigation would be hampered and hence, he opposed the grant of bail.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the First Information Report.

6. Considering the fact that A1 has been granted bail by the trial court and A4 has been granted bail by this Court, this Court is inclined to grant bail to the Petitioner with certain conditions:

7. Accordingly, the Petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.276 of 2022



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before the learned Special Judge for CCB & EDF-I Cases, Egmore, Chennai and on such deposit, the Petitioner is ordered to be released on bail on her executing a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, one surety shall be a blood surety, each for a like sum to the satisfaction of the learned Special Judge for CCB & EDF-I Cases, Egmore, Chennai and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the Petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.276 of 2022 before the learned Special Judge for CCB & EDF-I Cases, Egmore, Chennai;

(c) The final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.



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(d) the Petitioner shall report before the respondent police daily at 10.00 a.m., for a period of 15 days and thereafter as and when required for investigation;

(e) the Petitioner shall not influence, threaten or coerce the witness either during investigation or trial;

(f) the Petitioner shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(h) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;



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(i) if the Accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC.

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SATHI KUMAR SUKUMARA KURUP,J.

Mpl/Jeni

To

1. The Special Judge for CCB & EDF-I Cases,
Egmore, Chennai.
2. The Inspector of Police,
CCB-I EDF-I
Vepery, Chennai District.
3. The Central Prison,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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