



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/01/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.209 of 2023

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Ayeesha,

... Petitioner/2nd Accused

Vs

State Rep by

The Inspector of Police,

District Crime Branch, Tenkasi District

(Crime No.3/2022).

... Respondent/Complainant

For Petitioner : M/s.Gunaseelanmuthiah J,
Advocate.

For Respondent : M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

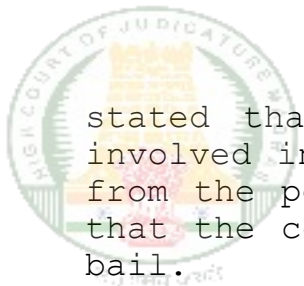
For Anticipatory Bail in Crime No.3 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offences punishable under Sections 420, 467, 468, 473 IPC., in Crime No.3 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defato complainant lodged a complaint stating that he is working as Manager in Union Bank of India. The first accused namely Selvi and the second accused namely Ayeesha were working as temporary staff in the branch for about five years. By making false promise that they can secure the pledged jewels at lower price, she received money from various persons and for that purpose, she stole away the old tokens, challans, etc. and forged the above said documents and created the stamp for the purpose of committing the above said forgery. When that was enquired, she admitted her guilt. She also written a letter stating that she is responsible for the above said offences. On the basis of the above complaint, the case has been registered.

3.This is the third anticipatory bail application. It appears that even though the earlier anticipatory bail applications filed by the petitioner were dismissed by this Court, the respondent has not taken any steps to arrest the petitioner. Even though it has been



stated that the cash and jewels worth about Rs.11,50,00 are involved in the above said issue, no recovery has been made either from the petitioner or from the co-accused. It has been submitted that the co-accused in this case has been arrested and released on bail.

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4.The learned Government Advocate (Crl. Side) has also submitted that so far no recovery has been made from the accused.

5.In earlier anticipatory bail application, it was observed by this Court that custodial interrogation is required in this case. Even after lapse of three months, it appears that no steps have been taken by the respondent police to arrest the petitioner and also for recovery of articles.

6.In the light of the above said development, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is **allowed** and petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate No.I, Tirunelveli, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders and co-operate for the investigation. During the course of investigation, if the respondent police requires custodial interrogation of the petitioner, then they can move the concerned Court for appropriate orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
10/01/2023

/ TRUE COPY /

/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM



TO

1. The Judicial Magistrate No.I, Tirunelveli.

2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.

3. The Inspector of Police,
District Crime Branch, Tenkasi District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.GUNASEELANMUTHIAH J ---, Advocate (SR-496[I] dated
10/01/2023)

ORDER

IN

CRL OP(MD) No.209 of 2023

Date : 10/01/2023

TR/VR/SAR-III(23.01.2023) 3P 6C