



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

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.3730 of 2023

Bhuvaneshwari

... Petitioner / Accused No.2

Vs

The Inspector of Police,
District Crime Branch Police Station,
Dindigul District.
(Crime No.36 of 2022.)

... Respondent / Complainant

For Petitioner : M/s.Subramanian T.R., Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Varadharajan

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

PRAYER :-

C-24AB. For Anticipatory Bail in Cr.No.36 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 406, 420 and 506(i) of I.P.C., in Crime No.36 of 2022 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 petitioner was doing a job at Amazon company and the first accused was also working in the said company. The first accused received a sum of Rs.2,00,000/- on 05.02.2020 for getting a job to the defacto complainant in the Central Excise Department. After two months, the defacto complainant gave a sum of Rs.2,00,000/- to the petitioner. The petitioner neither arranged for the job nor repaid the money. Hence, the complaint.



3.The learned counsel appearing for the petitioner submit that without prejudice to the petitioner's right of defence, she is ready and willing to deposit some amount as imposed by this Court.

4.Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

5.It is the case of job racketing. A.1 received a sum of Rs.2,00,000/- and the petitioner being the second accused also received a sum of Rs.2,00,000/- from the defacto complainant. That apart, the first accused was already arrested and released on bail.

6.Taking note of the facts and circumstances, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

Accordingly, the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of Crime No.36 of 2022 on the file of the respondent Police, before the learned Judicial Magistrate No.2, Dindigul and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.2, Dindigul, 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, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[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 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.

sd/-

08/03/2023

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

PS

To

1.The Judicial Magistrate No.2,
Dindigul.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
District Crime Branch Police Station,
Dindigul District.

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

+1. CC to M/S.SUBRAMANIAN T.R. Advocate SR.No.3723(I), dated
08.03.2023.

ORDER

IN

CRL OP(MD) No.3730 of 2023

Date :08/03/2023

ED/MMS/SAR-3 (16/03/2023) 3P 6C