



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.3848 of 2023

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Vishvapriya

...Petitioner /Accused No.1

-vs-

The State represented by
The Inspector of Police,
Town West Police Station,
Dindigul District.
(in Cr.No.352 of 2022)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of her arrest by the respondent Police with respect to Cr.No.352 of 2022.

For Petitioner : Mr.P.Venkatesan

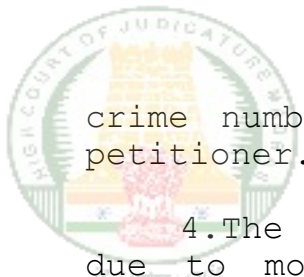
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 420, 294(b) and 506(i) of IPC in Crime No.352 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 due to money dispute, the petitioner has cheated the de-facto complainant to the tune of Rs.3,00,000/- and when he asked the accused to return the money, they threatened him with dire consequences. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that a case of money dispute has been exaggerated and a false complaint has been given. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution and the petitioner is ready to abide by any stringent conditions, that may be imposed on her. He would also submit to show her *bona fide*, without prejudice to her right and contentions, the petitioner is also ready to deposit Rs.1,00,000/- to the credit of



crime number. Hence, he would seek for anticipatory bail. The petitioner.

4.The learned Government Advocate (Crl.side) would submit that due to money dispute, the petitioner has cheated the de-facto complainant to the tune of Rs.3,00,000/- and when he asked the accused, they threatened him with dire consequences. He would object for anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions and also on perusing the materials available on record including the F.I.R., this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall deposit a sum of Rs.1,00,000/- to the credit of crime number and on production of receipt for 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.1, 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 everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30 am until further orders.

[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 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
28/02/2023

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/03/2023

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

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To

- 1.The learned Judicial Magistrate No.1, Dindigul.
- 2.Do through the Chief Judicial Magistrate,
Dindigul.
- 3.The Inspector of Police,
Town West Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL.O.P (MD) No.3848 of 2023
DATE :28.02.2023

NA/SAR-2/13.03.2023/3P/5C