



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

Date : 27/03/2023

PRESENT

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

CRL OP(MD). No.5607 of 2023

WEB COPY

Shanthi

... Petitioner/Sole Accused

Vs

State Rep.by
The Sub Inspector of Police,
Fort Police Station, (Crime Branch)
Trichy City.
(Crime No.294/2023).

... Respondent/Complainant

For Petitioner : Mr.R.Venkatesan, Advocate
for M/s.Right Law Associates
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.294/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 417,429,468 and 471 of IPC in Crime No. 294 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a Charitable Trust in the name of AJM Charitable Trust. He is spending the expenditure of welfare measures from his own fund and donation received in the name of said trust. The aforesaid Charitable Trust has been exempted from paying tax by the Central Government. The accounts of the Trust has been audited by the private company. Hence the defacto complainant had submitted the income and outcome details of the Trust to the petitioner/accused for auditing and to furnish income tax report for the assessment years 2020-2021 and 2021-2022. The accused has submitted audit report only for 2020-2021. In respect of this on having doubt on the accused the defacto complainant has asked her to give CA,UDIN number , but she was dragging to give the detail, hence the case.

3.Heard both side and perused the materials available on record including the First Information Report.



4. Taking into consideration of the facts and circumstances of the case and also the fact that no amount has been received from the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Trichy 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 am., 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

27/03/2023

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/04/2023

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

AAV



TO

1 THE JUDICIAL MAGISTRATE NO.I, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

WEB COPY

3 THE SUB INSPECTOR OF POLICE, FORT POLICE STATION, (CRIME BRANCH)
TRICHY CITY, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate (SR-4920[I] dated
27/03/2023)

ORDER

IN

CRL OP(MD) No.5607 of 2023

Date :27/03/2023

RS/BUC/SAR-1(03.04.2023) 3P 6C