



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/05/2023
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.8510 of 2023

Essakiammal,

... Petitioner/Accused 3

Vs.

The State rep.by
The Inspector of Police,
Thachanallur Police Station,
Thrunelveli District.
Crime No.130 of 2023.

... Respondent

For Petitioner : M/s.Narayanakumar.K.P.,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.130 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 420 of I.P.C. in Crime No. 130 of 2023, seeks anticipatory bail.

2. The case against the petitioner is that the defacto complainant and her husband are sanitary workers and a co-worker-Pandaram introduced a person, by name, Sudalai to the defacto complainant to get loan from the Co-operative Society. The said Sudalai obtained the Aadhar card and other documents from the defacto complainant. In the meantime, Pandaram, who introduced Sudalai, died, hence, the defacto complainant not proceed further in respect of the loan and she never contacted the said Sudalai, thereby she never availed any loan from the Co-operative Society. During the year 2019, the defacto complainant received a demand notice from the Central Co-operative Society directing her to pay Rs.3,00,000/- in respect of the alleged loan availed by her. On enquiry, she came to know that the accused persons conspired together and created fake documents and availed loan in the name of the defacto complainant. The first accused is the Manager, second accused is the person who received the Aadhar cards and photographs fromt he defacto complainant. The petitioner herein/ A3 has signed



as a witness in the alleged loan transaction. A case in ().
130 of 2023 was registered against the petitioner.

3. On the side of the petitioner, it is stated that the petitioner is working as an Attender in Sharadhar College, Ariyakulam. She approached one Somasundari for money and that she arranged loan from the Co-operative Society. The entire process were done by Somasundari, she obtained the signature of the petitioner in some documents. After availing loan, the petitioner paid instalment regularly through the said Somasundari. The petitioner is no way connected with the Society, she never was a witness as alleged by the prosecution.

4. On the side of the prosecution, it is stated that other accused were absconding A1 created Bank account as if the defacto complainant obtained a loan of Rs.3,00,000/-, A3 signed the loan application identifying the defacto complainant. The petitioner colluded with the other accused. All the other accused are absconding.

5. Considering the nature of the offence and considering the fact that the other accused are absconding and the investigation is in the initial stage, this Petition is dismissed.

sd/-

04/05/2023

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/05/2023

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

LS

TO

1 THE INSPECTOR OF POLICE,
THACHANALLUR POLICE STATION,
THRUNELVELI DISTRICT.

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

+1. CC to M/S.NARAYANAKUMAR.K.P. Advocate SR.No.7205

ORDER IN

CRL OP(MD) No.8510 of 2023

Date :04/05/2023

SA/VR/SAR.3/10.05.2023/2P/4C