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CRL OP(MD).



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

Date : 18/05/2023

PRESENT
The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9018 of 2023

Dhanalakshmi

... Petitioner/Accused No.35

Vs

State rep. by
The Inspector of Police,
Eow-II,
Madurai.
(In Crime No.8 of 2016).

... Respondent/Complainant

For Petitioner : M/s.Balaji.A,
Advocate.
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

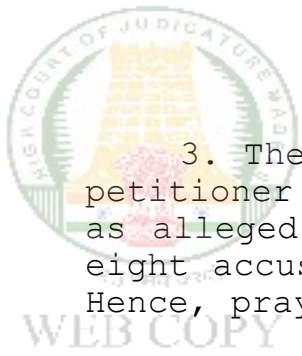
PRAYER :-

For Anticipatory Bail in Crime No. 8 of 2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420 & 120(b) of IPC and Section 5 of the Protection of Interest of Depositors (In financial establishment) Act, 1997, in Crime No.8 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was arrayed as A-35.The alleged occurrence said to be happened in the year 2016. The allegation against the petitioner is she has collected money from the general public for fake financial institution. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that except eight accused all other accused were arrested and released on bail. Hence, prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that totally there are 36 accused persons have involved in the offence and there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the occurrence is of the year 2016 and there is no chance for tampering witness and therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Court under the Tamil Nadu Protection Interest of Depositors (In Financial Establishments) Act Cases, Madurai, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties **(of which one shall be a blood related surety)** each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioner shall appear before the respondent police as and when required for interrogation.

(c) the petitioner shall not tamper with the 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 herself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;



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(f)if the accused/petitioner thereafter absconds, a f [R
can be registered under Section 229-A IPC.

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

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TO

1. The Special Court under the Tamil Nadu Protection
Interest of Depositors (In Financial Establishments)
Act Cases, Madurai.
2. The Inspector of Police,
Eow-II, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.BALAJI, Advocate (SR-7562[I] dated 18/05/2023)

ORDER

IN

CRL OP(MD) No.9018 of 2023

Date : 18/05/2023

NA/BUC/SAR- /23.05.2023/3P/5C