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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/06/2023
PRESENT

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

CRL OP(MD) . No.10554 of 2023

Bharathi,

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
City Crime Branch,
Trichy District.
Crime No.3 of 2023.

... Respondent/Complainant

For Petitioner : Mr.N.RANJITH,
Advocate.

ForIntervenors : Mr.T.LENIN KUMAR & Mr.JAMEEL ARASU
Advocate

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.3 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 03.05.2023 for the offences under sections 417,420, 294(b),506(i) of IPC in Crime No.3 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused cheated the victims to the tune of more than Rs.4,07,30,000/-, hence the case.

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

4. The learned counsel for the defacto complainant would submit that the petitioner had so many properties and did not even disclose the same to the respondent.



5. The learned counsel for the petitioner would submit that the petitioner without his prejudice is ready and willing to deposit the original title deed not less than the amount collected by him as directed by this Court.

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6. There are totally four victims in this case and the victims have deposited more than Rs.10 crores. It is seen that the petitioner had collected money several persons and thereafter she had cheated them.

7. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

8. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions

[a] the petitioner shall deposit the original title deed which stands in her name or in her relative's name or in her friend's name worth about Rs.4 crores along with the property valuation certificate from the authorities competent before the concerned Court without prejudice to her defence and on receipt of such original deeds the respondent is at liberty to proceed as against the property in accordance with law.

[b] On such deposit, 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 learned Judicial Magistrate No.I, Trichy.

[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity ;

[d] the petitioner shall report before the respondent police daily at 10.30 a.m and 5.30 pm., until further orders.

[e] the petitioner shall not tamper with evidence or witness.

[f] the petitioner shall not abscond during trial.

[g] 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].



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

sd/-

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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.
- 3 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN IN TRICHY.
- 4 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.RANJITH N Advocate SR.No.8843

+1. CC to M/S.T.LENIN KUMAR Advocate SR.No.9757 DT.8951

ORDER

IN

CRL OP(MD) No.10554 of 2023

Date :15/06/2023

SA/VR/SAR. /15.06.2023/3P/8C