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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/06/2023

PRESENT

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

CRL OP(MD). No.10993 of 2023

Vedavalli,

... Petitioner/Accused Rank Not Known

Vs

The Inspector of Police,
Economic Offices Wing Trichy.
Cr.No.3/2021.

... Respondent/Complainant

For Petitioner : M/s.Ranjith.N,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 3/2021 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 offences punishable under Sections 408, 420 and 120B of I.P.C., in Crime No.3 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the son of the petitioner run the Finance Company in the name and style of Krish Capital M Son BLID and Victory Finance at Kumbakonam. The further allegation is that the petitioner along with other accused had collected huge deposit from the de-facto complainant and other depositors and later, cheated them. Hence, the case.



3. Heard. Perused the materials available on record the First Information Report.

4. It is seen that there are totally 13 accused involved in this case and the petitioner is arrayed as A13. All the accused persons are family members and they run the finance company in the name and style of Krish Capital M Son BLID and Victory Finance at Kumbakonam. The petitioner is the mother of A2 and A3. She is now aged about 72 years and the crime is of the year 2021. Her bank accounts and locker have been seized by the respondent police, in which, the respondent found 4 ½ kgs of jewels in her locker and now it is under the custody of the respondent. The jewels were deposited before the concerned Court. There are 600 victims in this case and the accused had cheated to the tune of Rs.66 crores. A2, A3 and the other accused persons were arrested and released on bail.

5. Considering the above facts and circumstances of the case and also considering the age of the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner shall deposit the original title deed not less than the value of Rs.1 crore (Rupees One Crore only) either belonging to herself, friends or relatives along with proper valuation certificate, to the credit of Crime No.3 of 2021 before the file of the learned Special Court for TNPID Act Cases, Madurai, without prejudice to her rights and contentions.

7. On such deposit being made, 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 Special Court for TNPID 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 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 a.m., 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 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/-

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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 for TNPID Act Cases, Madurai.

2. Do-Through The Chief Judicial Magistrate,
Trichy District.

3. The Inspector of Police,
Economic Office Wing, Trichy.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N.RANJITH, Advocate (SR-9367[I] dated 22/06/2023)

ORDER

IN

CRL OP(MD) No.10993 of 2023

Date :21/06/2023

DL/SBN(30.06.2023)/ 3P/6C