



Crl.OP(MD)No.12048 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 19/07/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.12048 of 2023

Saraswathi

... Petitioner/ Accused No.2

Vs.

State represented by
The Inspector of Police,
District Crime Branch Police Station,
Trichy District,
(In Crime No.18 of 2022)

...Respondent/Complainant

Vanitha

...Petitioner/Intervener
IN CRL MP(MD)No. 9830 of 2023

For Petitioner : Mr.K.Dinesh,Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervenor : Mr.S.Ramasamy,Advocate

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

PRAYER:-

For Anticipatory Bail in Crime No.18 of 2022 on the file of the Respondent Police.

ORDER: The Court made the following order:-



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The petitioner, who is arrayed as A2 apprehends arrest at the hands of the respondent police for the offences punishable under sections 420 and 506(i) IPC in Crime No.18 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons received a sum of Rs.22,00,000/- from the de-facto complainant for getting job as Hostel Warden in a Government College, later, they neither secured job nor returned the money. When the de-facto complainant questioned the same, the accused persons threatened him with dire consequence.

3.Heard both sides.

4.Perusal of the CD file shows that there is some sort of affair between A1 namely the son of this petitioner and the de-facto complainant. A1 seems to be the student of the de-facto complainant. But what is the real ground, on the perusal of CD file, some other transaction took place between the de-facto complainant and A1. I do not want to elaborate the issue, since it may affect the investigation process and trial also. Suffice to say that the petitioner, being the mother of A1 ought to have been more vigilant, when huge amount was transferred to her account.

5.Even though, it has been stated by the petitioner that the money was withdrawn from her account by A1 and also purchased jewels to the de-facto complainant has stated that it is a matter for investigation and trial also. But having



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failed to be more vigilant, now she is suffering because of the implication.

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6.The submission of the petitioner has been placed before this court, which shows that money has been transferred to her account, later withdrawn. It was also submitted by the petitioner that because of the criminal case, her contact with A1 is also snapped.

7.Strong objection has been made by the de-facto complainant to the effect that during pendency of the earlier proceedings, the matter was referred to the Mediation and Conciliation Centre attached to this Bench and it was repeatedly adjourned on the basis of the undertaking given by the petitioner before this court to settle the entire issue. But later failed to respond. So the matter was referred back to the court. This is the another attempt made by the petitioner to get the anticipatory bail. So, according to him, unless the amount is settled, she should not be enlarged on anticipatory bail.

8.But however, considering the facts and circumstances of the case and also considering the role that has been allegedly played by the petitioner and the chatting whatsapp messages that have been undertaken between the de-facto complainant and A1 also support to some extent to the case of the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her



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appearance before the learned Judicial Magistrate No.1, Trichy and on her executing 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 concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under [Section 438](#) Cr.P.C. scrupulously.

sd/-
19/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH POLICE STATION,
TRICHY DISTRICT.



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

+1 CC to M/s.K.DINESH, Advocate (SR-11021[I] dated 20/07/2023)

ORDER
IN

CRL OP(MD) No.12048 of 2023
Date :19/07/2023

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Madurai Bench of Madras High Court is issuing certified
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