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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12380 of 2023

Vasanthi

... Petitioner/ Accused Rank No.3

Vs

The State represented by
The Inspector of Police,
Thiruverambur Police Station,
Trichy.
Crime No.244 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Jinnah.S.M.A,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.244 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 420 I.P.C, in Crime No.244 of

2023 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner along with other accused persons canvassing the defacto complainant, as if they offer a job to the defacto complainant, for which, she was directed to deposit a sum of Rs.6,25,000/- as refundable deposit. Thereafter, after joining the job in Hinduston Scouts and Guides, Tamil Nadu, when she demanded to return the above said initial refundable deposit, she was asked to resign the job. Therefore, she done so. After that one senior officer Prasanth Uthaman, have returned Rs.1,00,000/- on 22.09.2022 and another Rs.1,00,000/- on 23.09.2022. Thereafter the petitioner gave a sum of Rs.25,000/- in person and assured that the remaining amount will be returned earlier. But, so far it was not returned. Hence, the complaint.

3.On the ground that when the defacto complainant initiated proceedings under Section 138 of NI Act, before the learned Judicial Magistrate No.VI, Trichy in S.T.C.No.183 and 184 of 2023, it has been alleged by her that she deposited the money as per the promise that was made by her.

4.This petitioner alleged to have canvassed the above said deposit and also promised. Only upon her canvassing and promise, the amount of Rs.1,00,000/- was given to this petitioner on 06.09.2021. Later, he approached one Prasanth Uthaman, who is stated to be the President of the above said assignment. They deposited Rs.6.26 Lakhs in the account of first accused namely the Prasanth Uthaman, for administrative expenses. Now, he is only employee under the above said Prasanth



Uthaman. He is no way in collection and deposit. Unless the above said amount is returned to the defacto complainant, he is not entitled for anticipatory bail.

5. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on condition of payment. Accordingly, this petition is allowed on condition that the petitioner shall deposit Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of crime No.244 of 2023 before the trial Court.

6. On such deposit being made, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate VI, Trichy, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
19/07/2023

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/07/2023

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



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TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
TRICHY.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUVERAMBUR POLICE STATION,
TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.12380 of 2023

Date :19/07/2023

SS/BUC/29/07/2023/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023