



CRL OP(MD). No.15213 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15213 of 2023

Indira

... Petitioner/ Accused No.3

Vs

State Rep.by

The Inspector of Police,

DCB, Virudhunagar.

(In Crime No.2 of 2018).

... Respondent/ Complainant

For Petitioner : M/s.Haroon Rasheed.D.S, Advocate.

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

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

PRAYER :-

For Bail in Crime no.2 of 2018 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3 herein, who was arrested on 20.07.2023 for the alleged offence under Sections 120(B), 406 and 420 of IPC, in Crime No.2 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is running a fireworks business along with his father. The accused persons conspired among themselves, approached the defacto complainant and other victims alleging that they will arrange job for them in Railways. The defacto complainant has paid a sum of



CRL OP(MD). No.15213 of 2023

Rs.3,00,000/- and again a sum of Rs.2,00,000/- to the first accused. He in turn deposited the same in the account of the petitioner in Axis Bank. After that the accused issued fake appointment orders to the victims in the Railway. Thus, the accused committed criminal breach of trust and cheated the victims. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. The co-accused persons in this case have been released on regular bail or anticipatory bail by this Court or by the Court below.

4.The learned Additional Public Prosecutor submitted that totally there are 37 victims in this case.

5.Considering the magnitude of the amount involved, all these amount have been deposited in the petitioner's account and the same was withdrawn by him, even the co-accused persons come out on bail or anticipatory bail either by this Court or by District Court, that benefit cannot be extended to this petitioner, since the petitioner is not in position to inform what happened to the money that was withdrawn by her from her own account. Even though the petitioner is in judicial custody for the period of 45 days, this Court is not inclined to grant bail to the petitioner at this stage.



CRL OP(MD). No.15213 of 2023

6. Accordingly, this criminal original petition stands dismissed.

WEB COPY

sd/-
05/09/2023

/ TRUE COPY /

/09/2023

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

TM

TO

1 THE INSPECTOR OF POLICE, DCB, VIRUDHUNAGAR.

2 THE SUPERINTENDENT, CENTRAL PRISON (SPECIAL PRISON FOR WOMEN),
MADURAI.

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

ORDER
IN

CRL OP(MD) No.15213 of 2023

Date :05/09/2023

RS/JGB/SAR-(12.09.2023) 3P 4C

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