



Crl.OP.No.11232 of 2024

Crl.O.P.No.11232 of 2024

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K.KUMARESH BABU, J.

The petitioner seeks anticipatory bail in Cr.No.10 of 2024 registered by the respondent police for the offence punishable under Section 420 of IPC.

2. It is the case of the prosecution that the defacto complainant, engaged in the textile business at Kancheepuram and Arni under the name “Ramya Silk”. It is further alleged that the accused along with other accused persons had cheated the defacto complainant and also from other loaners/manufactures by misappropriating a sum of Rs.98,38,955/-. Hence, the complaint.

3. The learned counsel for the petitioner stated that there are totally two accused in this case. This petitioner is A2. She is the wife of A1, a house wife, and she has no knowledge about the business activities done by her husband. He further submits that she has not committed any



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offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for respondent submitted that the petitioner along with other accused jointly misappropriated the amount of Rs.98,38,955/-, collected from the defacto complainant and various lenders. He further submitted that investigation in this case is almost completed and also submitted that no previous case is pending as against the petitioner, however, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. Accordingly, 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*



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Judicial Magistrate Court-I, Thiruvannamalai, on condition that the each of the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 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 learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed



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and the petitioners 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.

08.05.2024

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