



Crl.O.P.No.11282 of 2024

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T.V.THAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 120(B) of Indian Penal Code, 1860 in Crime No.21 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent raised objection stating that there are totally 2 accused in this case and that the petitioner is ranked as A2, who is the wife of A1. The petitioner along with her husband (A1) gave a false promise to the defacto complainant



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that, if you invest money in the Portfolio Management Services through online, they give dividend per month and also returned the original invested money, whenever seeks to return. Believing the words of the petitioners, the defacto complainant, on various occasions transferred money to the petitioner's account and her husband's account, which comes around Rs.1,13,30,000/- and subsequently, to some extent, the petitioner along with her husband paid some amount as a dividend to the defacto complainant and thereafter failed to repay the dividend as well as the original invested amount. He further submits that A1 was arrested and subsequently, released on bail.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel and also considering the fact that the co-accused (A1) in this case already arrested and subsequently, released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.II, Thiruvallur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, each **(One surety must be a blood related one)** 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 and on further condition that:

[a]the petitioner shall deposit a sum of Rs.10,00,000/- [Rupees Ten Lakhs only] to the credit of Crime No.21 of 2023, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police, on every Wednesday at 10.30 a.m., and thereafter, as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during



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investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is released on anticipatory 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]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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