



Crl.OP.No.22476 of 2023

Crl.O.P.No.22476 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A3 in Crime No.238 of 2023 registered by the respondent police for the offences punishable under Sections 406 and 420 of IPC, 1860 seeks anticipatory bail .

2. It is the case of the prosecution that A1 who is the son of the petitioner had cheated the defacto complainant in a Chit Fund Chit called SNKR Chit Fund Private Limited Company. It is stated that A1 and A2 had been arrested and granted bail by the learned Principal Sessions Judge at Coimbatore by an order dated 07.09.2023 in Crl.MP.No.4877 of 2023.

3. Learned counsel for the petitioner stated that this petitioner has been implicated only because she is the mother of A1 and that she has no role either directly or indirectly in the aforementioned chit company. He further stated that the petitioner is a lady of an advanced age and had been wrongly implicated by the respondent.



Crl.OP.No.22476 of 2023

WEB COPY

4. This factor is denied by the learned Government Counsel (Crl.Side). A counter affidavit had also been filed. It had been stated that this petitioner is aware of the details of the functioning of the chit fund company run by A1.

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 Judicial Magistrate-VII, Coimbatore* on condition that 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:



CrI.OP.No.22476 of 2023

WEB COPY

[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 on Saturday at 10.30 a.m., for a period of one week and thereafter 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

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Crl.OP.No.22476 of 2023

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