



Crl.O.P.No.27470 of 2024

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WEB COPY **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest in connection with Crime No.9 of 2009, for the alleged offences punishable under Sections 406, 420 read with 120-B of IPC and Section 5 of TNPID Act on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that one Justin Devadoss @ David is the main accused and he along with the other accused had promoted a scheme under the name of “JBJ City Developers” and looted the investors and cheated the defacto complainant and 3561 victims to the tune of Rs.37 crores and thereby, the defacto complainant and other depositors had lodged a complaint against them, based on which, a case in crime No.09 of 2009 came to be registered. Hence the case.

3. Learned Counsel for the petitioner would submit that the petitioner is an innocent person and arrayed as A23 and that she is only an employee of “JBJ City Developers” and has been wrongly implicated in this case. He would further submit that the petitioner is no way connected with the present case and final report has been filed and a case has been taken up as C.C.No.03 of 2024 by the Special Judge, (TNPID



Crl.O.P.No.27470 of 2024

Court), Chennai, showing the petitioner as an absconding accused. The petitioner is ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate with the speedy trial and pray for grant of anticipatory bail to her.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, would submit that the petitioner/A23 was employed as Branch Manager incharge of “JBJ City Developers”, Tirunelveli Branch, and the specific overt act against her is that she had introduced the depositors and along with the other accused, she had collected a sum of Rs.37 crores. He would also submit that investigation had been completed, charge sheet had been filed, a case has been taken on file as C.C.No.3 of 2024 showing the petitioner as absconding accused and pending trial, NBW was issued on 05.03.2024 and now, the case stands posted to 11.11.2024.

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

6.Considering the above facts and circumstances of the case



CrI.O.P.No.27470 of 2024

and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Special Court under TNPID, Chennai**, 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 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police viz., Deputy Superintendent of Police, Economic Offence Wing-II, Anna Nagar, Chennai-600 040 every Saturday at 10.30a.m., for



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Crl.O.P.No.27470 of 2024

a period of four months and also appear before the trial Court on all hearing dates without fail.

[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 269 of BNS.

07.11.2024

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Crl.O.P.No.27470 of 2024

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