



Crl. O.P. No.27481 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 408 of IPC and Section 66D of Information Technology Act 2000 in connection with the Cr. No.851 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had fraudulently transferred the money of Rs.10,19,540/- from the defacto complainant's company's account by way of account transfer to the petitioner's account and her relative's account and committed offence and hence the case.

3. The learned counsel for the petitioner would contend that the this petitioner has been falsely implicated in this case by the respondent police for the alleged offences under Sections 408 of IPC and Section 66D of Information Technology Act and even according to the prosecution, there is dispute between the defacto complainant and his father-in-law and at that time, the amount was transferred to the account of this petitioner by the father-in-law of the defacto complainant. In fact, she has not committed any offence as alleged in the FIR. She is an innocent and



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hence she may be released on anticipatory bail .

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4. The learned Government Advocate (Criminal Side) would submit that based on the complaint given by the defacto complainant, FIR has been registered against the accused for the offences under Sections 408 of IPC and Section 66D of Information Technology Act. Investigation is at initial stage and hence he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences, considering the fact that there is no previous case pending against this petitioner, even according to the prosecution, the petitioner has not directly involved in the alleged money transaction and the father-in-law of the defacto complainant only transferred the amount to the account of this petitioner and even according to the prosecution, the alleged offences are borne out of records, therefore, there is no scope for tampering of evidence, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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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 **Judicial Magistrate No.I, Sriperumbudur** on condition that the petitioners shall each 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10 a.m. until further orders.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.10.2024

mjs

To

- 1.The Judicial Magistrate No.I, Sriperumbudur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police [Crime], T-14 Mangadu Police Station, Mangadu, Chennai-600 122.

P.DHANABAL,J
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