



Crl.O.P.No.28547 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.4 of 2021 registered for the offences punishable under Sections 420, 406 r/w 120 (B) of IPC and Section 5 of TNPID Act, 1997, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that A7 to A10 promoted the Company A1 to A5, thereby induced the gullible victim to deposit money and cheated to the tune of Rs.6,00,00,000/-. Hence, the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He would submit that the petitioner is an innocent and other than being the wife of A8, she has no role to play in the case. He would further submit that her husband A8 has been arrested and he is still in custody, and her husband without the petitioner's knowledge has shown her to be a shareholder in the company. He would further submit that the petitioner is ready to abide by



any stringent condition that may be imposed by this Court.

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4. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner is arrayed as A11, who is the share holder of the company and she is the wife of A8, who is the Director of the Company viz., A1 to A5. He would further submit that the petitioner along with other accused had induced the defacto complainant and others to deposit a sum of Rs.2000/- per month to the company account and for which, they promised to return with high rate of interest. On believing the same, the defacto complainant deposited a sum of Rs.1,44,000/- and thereby the accused had cheated about 63 victims to the tune of Rs.6,00,00,000/-. He would further submit that the petitioner had received a sum of Rs.3,95,000/- from the agents. He would further submit that the petitioner's husband /A8 has been arrested and he is still in custody.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the



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materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate No.1, Kancheepuram*** 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m., and thereafter, every Saturday at 10.30 a.m., until further orders;

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



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[e] the petitioner shall not abscond either during 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 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

03.12.2024

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