



CRL OP(MD) No.444 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eleventh day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.444 of 2024

MUNIYAMMAL @ SELVI

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
CRIME NO.733 OF 2023.

... RESPONDENT/COMPLAINANT

For Petitioner : MR.B.RAMNATH, Advocate

For Respondent : MR.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.733 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A2, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406 & 420 of IPC in Crime No.733 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Branch Manager, Kosamattram Finance, Thanthondrimalai Branch. When the defacto



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complainant conducting audit in the said branch, he found that the petitioner herein and his husband without knowing the seriousness, pledged the duplicate jewels in the Kosamattam Finance Limited and obtained a sum of Rs.16,80,900/-. On search, the cash amount of Rs.1,20,000/- and gold coated jewels were recovered from A1. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that this is the second anticipatory bail petition. Earlier petition filed by the petitioner in Crl.OP (MD)No.22468 of 2023 was dismissed by this Court, on 13.12.2023. Now, the petitioner to show her bona fides, is ready and willing to deposit a sum of Rs.8 lakhs within a period of two weeks and for the balance amount, she also ready to deposit the title deeds of immovable property worth of Rs.7,60,900/- either belonging to herself, friends or relatives to the credit of Crime No.733 of 2022 before the learned Judicial Magistrate-1, Karur. Hence, he seeks for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the petitioner herein and his husband pledged the duplicate jewels in the Kosamattam Finance Limited and obtained a sum of Rs.16,80,900/-. Hence, he vehemently



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opposed to grant anticipatory bail to the petitioner.

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5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case and that the petitioner, to show her bona fides, deposit a sum of Rs.8 lakhs (Rupees Eight Lakhs Only) to the credit of Crime No.733 of 2023 and also undertakes to deposit original title deeds of immovable property worth of Rs.7,60,900/- either belonging to herself, friends or relatives to the credit of Crime No.733 of 2023 before the learned Judicial Magistrate No.1, Karur, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-1, Karur, 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:



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[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 deposit a sum of Rs.8 lakhs (Rupees Eight Lakhs Only) to the credit of Crime No.733 of 2023 before the learned Judicial Magistrate No.1, Karur, at the time of furnishing sureties. Thereafter, the balance amount of Rs.7,60,900/- (Rupees Seven Lakhs Sixty Thousand and Nine Hundred Only) shall be paid within a period of six weeks from the date of furnishing sureties. Till such time, she shall deposit the original title deeds of immovable property worth of Rs.7,60,900/- (Rupees Seven Lakhs Sixty Thousand and Nine Hundred Only) either belonging to herself, friends or relatives to the credit of Crime No.733 of 2023 before the learned Judicial Magistrate No.1, Karur, at the time of furnishing sureties.

[c] the petitioner shall report before the respondent Police as and when and required for interrogation;

[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 229A IPC.

sd/-
11/01/2024

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/01/2024
Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1.THE JUDICIAL MAGISTRATE NO.1, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.

<https://www.mhc.tn.gov.in/judis>



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3.THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-671[I] dated 12/01/2024)

ORDER
IN

CRL OP(MD) No.444 of 2024

Date :11/01/2024

RK/VR (23/01/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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