



CRL OP(MD). No.5287 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5287 of 2024

Rani

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
South Gate Police Station,
Madurai District.
Cr.No.85/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Jeyaprabha, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

For Intervenor : Mr.D.Vakeeswaran, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 85/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent



CRL OP(MD). No.5287 of 2024

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Police, in connection with a case in Crime No.85 of 2024, for the offence punishable under Sections 120(b), 406, 417 and 420 IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons gave a promise to the defacto complainant to arrange a job for her daughter. Believing their words, the defacto complainant has paid a sum of Rs.7,00,000/- to the accused persons. However, the accused persons neither arranged a job nor returned the money to the defacto complainant. After repeated demands, the husband of the petitioner gave a cheque for Rs.5,65,000/- and stated that the balance amount of Rs.1,35,000/- was spent towards travel and other expenses. However, when the defacto complainant presented the aforesaid cheque, the same was returned due to insufficient funds. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is arrayed as A1. She is working as a Bill Collector in the Electricity Board. For the occurrence took place in the year 2015, a complaint has been lodged in the year 2024. Moreover, the petitioner is not living with her husband/A2 and they got divorced in the year 2017. It is purely a money transaction between the A2



CRL OP(MD). No.5287 of 2024

and the defacto complainant, for which, the petitioner has been roped into the offence, since she is working in E.B. Hence, prays to release her on bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the investigation is yet to be completed. The petitioner and other accused persons have committed the offence of job racketing. Hence, prays to dismiss the petition.

5. The learned counsel for the intervenor raised his objection to release the petitioner on bail. He disputed the signature of the petitioner in the cheque.

6.It appears that the petitioner is working only as a Bill Collector. It is not known, how the defacto complainant presumed that the petitioner could arrange a job and gave Rs. 7 lakhs in the year 2015. Considering the nature of offence, this Court has granted interim anticipatory bail to the petitioner to enable her to co-operate with the investigation. It appears that the petitioner gave Rs.5,65,000/- to the defacto complainant.

7.In view of the above subsequent developments, considering the rival



CRL OP(MD). No.5287 of 2024

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submissions made and the fact that for the occurrence took place in the year 2015, the complaint has been lodged in the year 2024, this Court is inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of her arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police as and when required for interrogation. The petitioner has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police



CRL OP(MD). No.5287 of 2024

shall move an application for cancellation of the anticipatory bail.

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/05/2024

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

PNM
TO

- 1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.D.SURIYANARAYANASAMY, Advocate (SR-4909[I] dated 25/04/2024)

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-4938[I] dated 26/04/2024)

ORDER
IN
CRL OP(MD) No.5287 of 2024
Date :25/04/2024

SS/GS/SAR- /02/05/2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023