



CRL OP(MD). No.9788 of 2024

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

Date : 30/07/2024

PRESENT

The Hon'ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.9788 of 2024

A.Golda Mary

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
District Crime Branch
Tirunelveli District
Cr No.9/2024.

... Respondent/ Complainant

Mallika

... Intervener/ Defacto Complainant

For Petitioner : Mr.Anand R.,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

For Intervenor : Mrs.S.Prabha,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr No.9/2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 420 IPC in Cr.No.9 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has received a sum of Rs.15,32,000/- from eight persons by giving assurance to arrange job at foreign countries. However, she did not act as stated. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. However, the petitioner is ready to abide by any condition imposed by this Court. Hence, the learned counsel prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (criminal side) would submit that the petitioner has cheated a sum of Rs.15,32,000/- from the public. He would further submit that major part of the investigation has also completed.

5. Considering the facts and circumstances of the case and considering the fact



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that the major part of the investigation has been completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tirunelveli, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees one Lakh only) to the credit of the said crime number within a period of two weeks without prejudice to her rights and contentions before the trial Court.

(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 as and when required.

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

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/08/2024

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

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TO

1. The Judicial Magistrate No.I, Tirunelveli.

2. -do through The Chief Judicial Magistrate, Tirunelveli District.



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3. The Inspector of Police,
District Crime Branch
Tirunelveli District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.ANAND, Advocate (SR-9033[I] dated 31/07/2024)

ORDER
IN
CRL OP(MD) No.9788 of 2024
Date : 30/07/2024

RD/SKN (22/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.