



CRL OP(MD). No.11441 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11441 of 2024

A.Muthulakshmi

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
District Crime Branch Police Station,
Theni District,
Crime No.15/2024.

... Respondent/Complainant

S.Rajarithnam,

... Intervener in CRL.MP(MD)No.7650 of 2024

For Petitioner : M.Jerin Mathew,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervener : Mr.M.P.Senthil,
Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.11441 of 2024

PRAYER :-
WEB COPY

For Anticipatory Bail in Crime No.15/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 120B, 294(b) and 506(2) of IPC, in Cr.No.15 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and A1 & A2 were partners in LPG distributorship and they had also registered a partnership agreement. The petitioner herein was working as Accountant in the said Company. In the business transaction, the petitioner herein has colluded with A1 & A2, cheated the defacto complainant to the tune of Rs.1 crore. Hence, the complaint.

3.Mr.M.P.Sendhil, the learned counse for the intervener, opposes the petition on the ground that even on verification of the accounts, several amounts have been transferred from the account of the petitioner to her son's account and to her other accounts.



CRL OP(MD). No.11441 of 2024

4.The learned counsel the petitioner submits that money was belonging to the petitioner herself and she has also in possession of proof as to how she raised that money. He would further submit that in any event, to prove her *bona fide*, she is ready and willing to deposit the original title deed either belonging to her own or to any third party of value not less than Rs.50,00,000/- before the trial court.

5.Considering the above said undertaking given by the petitioner, 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, subject to the following conditions

[a] the petitioner shall deposit the original title deed which stands in her name or in her relative's name or in her friend's name worth about Rs.50,00,000/- along with the property valuation certificate from the authorities competent before the concerned Court without prejudice to her defence.

[b] On such deposit,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



CRL OP(MD). No.11441 of 2024

satisfaction of the learned Judicial Magistrate, Theni.

WEB COPY

[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity ;

[d] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[e]the petitioner shall not tamper with evidence or witness.

[f] the petitioner shall not abscond during trial.

[g] 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].



CRL OP(MD). No.11441 of 2024

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Sd/-

16/08/2024

/ TRUE COPY /

/08/2024

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

DSS

TO

- 1.The Judicial Magistrate, Theni..
- 2.Do-Through The Chief Judicial Magistrate,
Theni District.
- 3.The Inspector of Police,
District Crime Branch Police Station,Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-10133[I] dated 20/08/2024)

ORDER
IN

CRL OP(MD) No.11441 of 2024
Date : 16/08/2024

RD/SKN (23/08/2024) 5P / 6C

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

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