



CRL OP(MD). No.14379 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14379 of 2024

Deepa

... Petitioner/ A-2

Vs

The Inspector of Police,
District Crime Branch,
Dindigul District, Dindigul.
Crime No.17 of 2023

... Respondent/Complainant

For Petitioner : Mr.J.Lawrance,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.17 of 2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 406, 420, 468 and 471 of IPC, in Crime No.17 of 2023, seeks anticipatory bail.



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2.The case of the prosecution is that the defacto complainant invested a sum of Rs.60,00,00/- in the partnership firm and the accused persons failed to pay the returns. Apart from that the accused persons obtained Bank loans by creating forged documents. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation in this case that the defacto complainant and her father had invested a sum of Rs.60,00,000/- in the partnership business, without the knowledge of the defacto complainant being the partner, the petitioner along along with A-1 had even obtained loan by forging the signature of the defacto complainant and considering the fact that the said loan amounts are repaid, only the defacto complainant is now being said to have been cheated to the extent of Rs.60,00,000/- and considering the fact that the husband of the petitioner being the prime accused having already been arrested and considering the argument of the learned Counsel for the petitioner that without prejudice to his contentions in the case, he is willing to deposit the original documents in respect of being the house



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property situated in TS No.179, Subedar Lane, Dindigul, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or 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.II, Dindigul, 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 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 report before the respondent police daily at 10.30 am for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;



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(c)As undertaken, an affidavit stating that the petitioner will deposit the original documents in respect of the aforementioned property shall also be filed before the learned Magistrate concerned and the documents be deposited;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(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]*; and;

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

sd/-
10/09/2024

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/10/2024

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

JBR



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.II
DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.
- 3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
DINDIGUL DISTRICT,
DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-11137[I] dated 11/09/2024)

ORDER
IN

CRL OP(MD) No.14379 of 2024

Date :10/09/2024

SS/VR/SAR- /10/10/2024/5P/6C

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