



CRL OP(MD). No.17393 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K.RAJASEKAR

CRL OP(MD). No.17393 of 2024

Valli Gurusamy,

... Petitioner/ Accused No. 2

Vs

**The State of Tamilnadu,
Represented by the Inspector of Police,
Anna Nagar Police Station,
Madurai City
(Crime No.475 of 2024)**

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh, Advocate

**For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)**

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.475 of 2024 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 offences punishable under Sections 406 and 420 of IPC in Crime No.475 of 2024 on

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



CRL OP(MD). No.17393 of 2024

the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A2 is the wife of the Accused No.1. They were running a second hand car dealership, in which, the de-facto complainant used to purchase cars and sell the same to his customers. It is alleged that the petitioner and her husband has received a sum of Rs.5,00,000/- from the de-facto complainant, and they have neither repaid the cash nor they given any vehicle. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is only the wife of the Accused No.1. She has not directly participated in any of the business activity of her husband, and it is the specific allegation of the de-facto complainant that the money to the tune of Rs.3,00,000/- (Rupees Three Lakhs only) was deposited only to the bank account of the petitioner's husband/Accused No.1 through UPI transaction, and the petitioner has been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) submitted that the Accused No.1 is still absconding, and the petitioner is the wife of the Accused No.1. They have received a sum of Rs.5,00,000/- (Rupees Five Lakhs only) from the de-facto complainant by promising that they would hand over a car, but they failed to do the same.

5. Considering the nature of the allegations that the petitioner is a lady, this



CRL OP(MD). No.17393 of 2024

Court is inclined to enlarge the petitioner on anticipatory bail.

6. Accordingly, 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 No.6, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 a.m. for a period of two weeks and thereafter, as and when required for the interrogation.

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

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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



CRL OP(MD). No.17393 of 2024

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;

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

sd/-
09/10/2024

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/ 10 / 2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1 THE JUDICIAL MAGISTRATE
NO.6, MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY.

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



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ORDER
IN
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Date :09/10/2024

PSP/ VR /SAR /24.10.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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