



CRL OP(MD) No.19676 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.19676 of 2024

Muthupriya

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu Rep.By.,
the Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.15 of 2024).

... Respondent/Complainant

2.M.S.Dhanajeyan

... Intervene Petitioner / Defacto
Complainant in
Crl.M.P(MD)No.12447 of 2024

For Petitioner : Mr.K.R.Laxman, Advocate for
Mr.G.Vishnuram, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervenor : Mr.M.Maran, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.15 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 alleged offence under Sections 406 and 420 IPC in Crime No.15 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that A1 and A2, who were working as Manager and Assistant Manager in Muthoot Mini Fincorp had misused their office and taken away 18 gold pockets worth about Rs.44,31,435/- by entering bogus entries as if the debtors paid their debt and got back the gold that was pledged by them.. There are totally four accused persons in this case and the petitioner has been arrayed as A2.

3.The earlier anticipatory bail petition filed by the petitioner in CrI.O.P(MD) No.12111 of 2024 was dismissed as withdrawn by order, dated 14.08.2024. It was also brought to the notice of this Court that A1 was arrested and later was enlarged on bail. A3 also filed an anticipatory bail petition before this Court in CrI.O.P(MD) No.11733 of 2024 and A3 was granted anticipatory bail.

4. Heard the learned counsel appearing on either side.

5.It is brought to the notice of this Court that the petitioner has paid a sum of Rs.13,89,500/- to the Company out of the total amount of Rs.44,31,435/-. The petitioner has also deposited the original document standing in her name pertaining to an immovable property with the Company.

6.In the considered view of this Court, custodial interrogation may not serve any purpose. A1 was arrested in this case and he was enlarged on bail and nothing was recovered from A1. Therefore, unless the arrest is going to serve some purpose, there is no use in resorting to that process. However, this Court must keep in mind



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the interest of the Company.

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7. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of 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.II, Ramanathapuram, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[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 everyday at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation.

[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 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 269 of BNS 2023.

[h]the original document standing in the name of the petitioner in Document No.703 of 2024 is now in the custody of the defacto complainant. Hence there shall be a charge over the property and the petitioner will not permitted to deal with the property till the completion of the case.

sd/-
21/11/2024

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/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO

1 THE JUDICIAL MAGISTRATE, NO.II, RAMANATHAPURAM.



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2. DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.G.VISHNURAM, Advocate (SR-14364[I] dated 21/11/2024)

ORDER
IN
CRL OP(MD) No.19676 of 2024
Date :21/11/2024

PSP/ VR /SAR /05.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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