



CRL OP(MD). No.22102 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Chandrakala @ Chandralekha

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Uvari Police Station,
Tirunelveli District.
(In Crime No. 201 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.Angusamy V, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 201 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.201 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons received total sum of

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



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Rs.10,90,000/- from the defacto complainant and his friend on the promise that they will get a job abroad. Subsequently, no job was secured and the money was also not repaid back. There are totally two accused persons in this case and the petitioner has been arrayed as A2.

3. The learned Government Advocate(Crl.Side) submitted that out of the total amount of Rs.10,90,000/-, a sum of Rs.4,67,000/- has been paid and the balance amount has not been settled. That apart, A1 is absconding till date.

4.Per contra, the learned Counsel appearing for the petitioner submitted that a total sum of Rs.5,77,400/- has been settled to the defacto complainant and that this petitioner is only the wife of A1 and she has nothing to do with the alleged offence.

5.This Court carefully considered the submissions made on either side and the materials available on record.

6.It is quite clear from the records that the total sum of Rs.10,90,000/- was received from the defacto complainant and his friend on the promise that accused persons will secure a job abroad. Ultimately, no job was secured and the money was also not returned back. For the present, this Court will take it that a sum of Rs.5,77,400/- was settled to the defacto complainant. If that is taken into consideration the balance amount to be paid is Rs.4,22,600/-.

7.This Court wants the petitioner to show her bona fides by depositing 50% out



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of the balance amount of Rs.4,22,600/-. The same will be imposed as a condition while granting anticipatory bail to the petitioner.

8. Taking into consideration the facts and circumstances of the case and the above discussion made by this Court, 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, Radhapuram, 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 every Monday at 10.30 a.m for a period of six weeks and thereafter, as and when required for



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interrogation.

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[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 269 of BNS 2023.

[h]The petitioner shall deposit 50% of the balance amount of Rs.4,22,600/- within a period of four weeks, from the date of receipt of a copy of this order.

sd/-
13/12/2024

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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



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TO

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1 THE JUDICIAL MAGISTRATE
RADHAPURAM

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-15507[I] dated 17/12/2024)

ORDER
IN

CRL OP(MD) No.22102 of 2024

Date :13/12/2024

PSP/ SKN /SAR /20.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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