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Crl.O.P.No.646 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 646 of 2025

SARUMATHI

D/o. Kalyana Sundram, No.255, DA, 4C5,Mullai
Nagar, North Street, Perabalur, Tamil Nadu. and
another

Petitioner(s)

Vs

State Rep By

Inspector of Police, DCB Perambalur Police station,
Perambalur District. Cr.No.15 of 2024.

Respondent(s)

For Petitioner(s):

P.Krishna Moorthy
S.Senthilvel
P.Krishnamoorthy

For Respondent(s):

S.Santhosh, Government Advocate (Criminal Side)
Madras High Court.

ORDER

The petitioners/ A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 468 and 471 of IPC in Crime No.15 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one



Anisha Begam is that, the petitioners herein along with other accused persons induced the defacto complainant, on false assurance that they will get a Government job to the defacto complainant, thereby, cheated a sum of Rs.16,50,000/-. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners along with one Sathishkumar/ A3 were arrested and remanded to judicial custody on 23.12.2024, however, the learned Magistrate concerned refused to remand the petitioners herein, on the ground that the respondent has not complied with the order dated 10.12.2024 of this Court in Crl.O.P.No.30757 of 2024. He also submitted that there has been a money transactions between the defacto complainant and the petitioners herein, however, the defacto complainant in order to give criminal colour to the civil financial dispute, thereby, lodged a false complaint against the petitioners herein. He further submitted that the petitioners are ready to abide by any condition that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the



respondent Police opposed for granting of anticipatory bail to the petitioners by stating that, the petitioners along with other accused persons cheated a sum of Rs.16,50,000/- from the defacto complainant, by making false assurance of getting her a Government job. He also submitted that the first petitioner herein is the wife of the second petitioner and the fourth and fifth accused in this case are the parents of the first petitioner. He also submitted that the first petitioner has no previous case and the second petitioner has one previous case.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record, including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate - I Court at Perambalur** on condition that the petitioner shall



execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 first petitioner/ Sarumathi shall report before the respondent police everyday at 10:30 a.m., for a period of one week and thereafter, every Saturday at 10:30 a.m., until further orders. The second petitioner/ Mohan Babu shall report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the



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learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2025

stn

To
1. State Rep By
Inspector of Police,
DCB Perambalur Police station,
Perambalur District.
Cr.No.15 of 2024.

A.D.JAGADISH CHANDIRA, J.

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