



CRL O.P. No.2716 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 17.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2716 of 2025

G. Subathra Banu W/o. M. Chandru Petitioner / Accused-1

Vs

State rep. by:-

The Inspector Of Police,
K-2 Ayanavaram Police Station,
Chennai-600 023. ... Respondent
[Cr. No.24 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.24 of 2025 on the file of the respondent police.

For Petitioner : Mr. M. Shanmugam

For Intervenor: Mr. P. Krishnan

For Respondent : Mr. S. Balaji,

Government Advocate

[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest in the hands of
the respondent police for the offence punishable under Sections 318(2)



CRL O.P. No.2716 of 2025

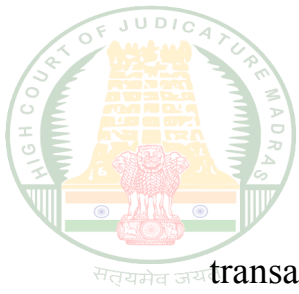
WEB COPY

and 316(2) of B.N.S. in connection with the case in Crime No.24 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the wife of A1; that A1 had induced the defacto complainant to deposit a sum of Rs.18 lakhs on the promise of getting a job in the Tamil Nadu Electricity Board as Assistant Engineer; that accordingly, the defacto complainant deposited a sum of Rs.18 lakhs on three different dates i.e., 08.08.2021, 07.10.2021 and 09.10.2021.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that no any transactions took place between the petitioner and the defacto complainant and the case is borne out of records; that in any case, custodial interrogation is not required and hence prayed for anticipatory bail to the petitioner.

4. The learned counsel for the intervenor / defacto complainant, however, submitted that the petitioner was also involved in the



CRL O.P. No.2716 of 2025

WEB COPY

transactions and further submitted that she sent whatsapp messages to the defacto complainant confirming receipt of money by her husband and hence custodial interrogation is required and sought for dismissal of anticipatory bail application.

5. The learned Government Advocate (Criminal Side), on instructions, reiterated the prosecution case and objected for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

7. Admittedly the transactions took place in the year 2021. The allegation is that the petitioner's husband promised to obtain a job in Tamil Nadu Electricity Board and received the amount. The petitioner admittedly had not received any amount. It is for the prosecution to establish the offence of cheating before the trial Court. Considering the



CRL O.P. No.2716 of 2025

WEB COPY

nature of allegations against the petitioner and since the allegations are borne out by records, this Court is of the view that custodial interrogation of the petitioner is not required and inclined to grant anticipatory bail to the petitioner on certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **V Metropolitan Magistrate, Egmore, Chennai-600 008** on condition that the petitioners 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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.



CRL O.P. No.2716 of 2025

WEB COPY

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

17.02.2025
[2/2]

mjs

5/7



CRL O.P. No.2716 of 2025

WEB COPY
To

1. The V Metropolitan Magistrate, Egmore, Chennai-600 008.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, K-2 Ayanavaram Police Station, Chennai-600 023.

SUNDER MOHAN. J.,

mjs



WEB COPY



CRL O.P. No.2716 of 2025

CRL O.P. No.2716 of 2025

17.02.2025
[2/2]