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Crl.O.P.No.4056 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.4056 of 2025

Sivapriya

...Petitioner/Accused - 3

Vs.

State rep by
Sub Inspector of Police,
DCB (District Crime Branch)
Perambalur.

(Crime No.2 of 2025)

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail pending investigation in the event of arrest in Crime No.02/2025 on the file of the Sub Inspector of Police, DCB (District Crime Branch), Perambalur District.

For Petitioner : Mr.Manivel A

For Respondents : Mr.S.Santhosh
Advocate (Crl.Side)

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417 and 420 of the Indian Penal Code, 1860 in Crime No.2 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the *de-facto* complainant's



daughter had appeared for a competitive examination for selection as Block Education Officer; that A1 and A2 promised the *de-facto* complainant that they would obtain the job for her daughter as they were politically influential and got Rs.12,00,000/- (Rupees Twelve Lakhs only) from the *de-facto* complainant; that they neither secured the job nor returned the money; and that the petitioner/A3 is the wife of A1 who was present when the transactions took place. Hence the case.

3. Learned counsel for the petitioner/A3 would submit that the petitioner has nothing to do with the offence; that A1/husband of the petitioner was arrested and released on bail, and considering the nature of the allegations, the custodial interrogation of the petitioner is not required and sought for anticipatory bail.

4. Learned Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that the main accused, A1 and A2, were arrested; that the petitioner/A3 is the wife of A1, and the only allegation against her is that she was present when the alleged transactions took place.

5. Heard the learned counsel for the petitioner and the learned Advocate



(Crl.Side) for the respondents and perused the materials available on record.

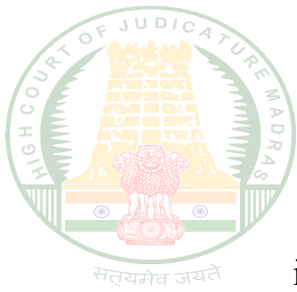
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6. Admittedly, no money was paid to the petitioner/A3. The co-accused/A1 was arrested and released on bail. Considering the nature of the allegation, this court is of the view that the custodial interrogation of the petitioner/A3 is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned **Judicial Magistrate No.I, Perambalur**, 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] 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., until further orders;



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Crl.O.P.No.4056 of 2025



[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18.02.2025

dk

To

1.The Judicial Magistrate, No.I, Perambalur

2.The Sub Inspector of Police,
DCB (District Crime Branch),
Perambalur District.

3.The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN,J.
dk

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