



Crl.OP.No.6018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6018 of 2025

M.S.Rani

.. Petitioner/A2

Vs.

The State rep by
The Inspector of Police,
Forgery Wing, CCB,
Avadi Police Commissionerate,
Avadi, Chennai – 600 054.
(Crime No.6 of 2025) .. Respondent/complainant

M.Saravanan .. Intervenor/Defacto complainant

*[Defacto complainant permitted to intervene, as per the orders of this Court
[SMJ] in Crl.MP.No.4199 of 2025 dated 12.03.2025]*

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of her arrest in Crime No.6 of 2025 on the file of the respondent Police.

For Petitioner : Mr.Parthasarathy Ganesan

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

For Intervenor : Mr.S.Saravanan



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ORDER

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 of IPC in Crime No.6 of 2025, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is the wife of 1st accused, who had certain monetary transaction with the defacto complainant; that the 1st accused on the promise of providing huge returns had received a sum of Rs.1,06,07,500/- out of which, a sum of Rs.78,32,500/- was paid by bank transactions and the remaining amount was paid by cash; that the petitioner/wife of the 1st accused had abetted the 1st accused in the commission of the offence. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false; that the petitioner is a house wife and has nothing to do with the alleged transaction between the defacto complainant and the 1st accused; that the 1st accused is now detained under Act 14 of 1982; that his



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bank account also has been frozen by the investigation officer; and that in any case, considering the nature of allegation against this petitioner, custodial interrogation is not required and prayed for anticipatory bail.

4. The learned counsel for the defacto complainant, however, vehemently opposed the grant of anticipatory bail stating that though the transactions were between the 1st accused and the defacto complainant, the 1st accused had confessed that some money was handed over to his wife/2nd accused and hence, submitted that custodial interrogation is required.

5. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the 1st accused was arrested and detained under Act 14 of 1982 and his bank account was frozen in which, a sum of Rs.81,97,908/- was lying; and that on his confession it was revealed that he had handed over some cash to his wife.

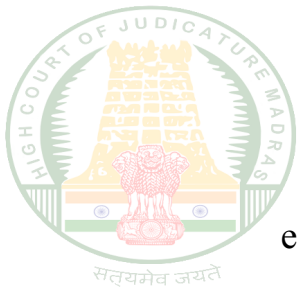
6. Admittedly, the petitioner and defacto complainant had no direct contact and the financial transactions took place only between the defacto



complainant and the first accused. The fact that the petitioner's husband/1st accused has handed over some money to the petitioner would not make her liable for cheating. Therefore, considering the aforesaid facts, and nature of allegations against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required and hence, is inclined to grant anticipatory bail to the petitioner on 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 days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.I, Poonamallee, Thiruvallur**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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



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ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

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

12.03.2025

Index : Yes / No
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To

1.The Inspector of Police,
Forgery Wing, CCB,
Avadi Police Commissionerate,
Avadi, Chennai – 600 054.

2.The Judicial Magistrate No.I,
Poonamallee, Thiruvallur.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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(2/2)

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