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CrI.OP.No.6598 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.OP.No.6598 of 2025

M.Nagalakshmi

... Petitioner /Accused

Vs.

State rep by
The Inspector of Police,
B-4, High Court Police Station,
Chennai.
Crime No.01/2025

... Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest in Crime No.1 of 2025 on the file of the Inspector of Police, B-4, High Court Police Station, Chennai.

For petitioner : Mr.Dinesh Babu

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



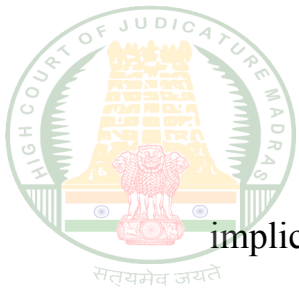
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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 406, 420, 465, 471 and 120B of IPC and Section 45 of the Advocates Act, 1961, in Crime No.1 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused, claiming himself to be a Lawyer, received a sum of Rs.2,38,000/- from the defacto complainant for filing a case before this court; that the amount was towards court expenses and legal fees; that the defacto complainant later came to know that the first accused was not a Lawyer and had deceived him; and that the second accused, who is the wife of the first accused, allegedly called the defacto complainant over the phone and threatened him of dire consequences.

3. The learned counsel for the petitioner would submit that the allegation of cheating has been made only against A1/ petitioner's husband; that A1/ petitioner's husband was arrested and subsequently released on bail; and that the petitioner is not involved in the alleged offence and she has been falsely



implicated.

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4. The learned Government Advocate (CrI.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the A1/ petitioner's husband was arrested and released on bail.

5. Considering the nature of the allegations against the petitioner; the fact that the A1/ petitioner's husband was arrested and released on bail, and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions

6. 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 made ready, before the learned **VII Metropolitan Magistrate Court, George Town, Chennai**, 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:

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[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.

[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”*** reported in (2005) AIR SCW 5560.



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

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
B-4, High Court Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. The learned VII Metropolitan Magistrate Court,
George Town, Chennai.



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SUNDER MOHAN, J.

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