



Crl.OP.No.9349 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9349 of 2025

Mullagiri Devisree

.. Petitioner/ 3rd Accused

Vs.

The State rep by
The Inspector of Police,
Central Crime Branch,
Office of the Avadi Police
Commissionerate.
(Crime No.40 of 2025)

.. Respondent

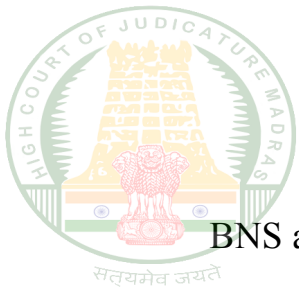
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of her arrest in Crime No.40 of 2025 on the file of the respondent
Police.

For Petitioner : M/s.R.Shine Kumar

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

ORDER

The petitioner/ 3rd Accused , who apprehends arrest at the hands of
the respondent police for the offences punishable under Section 318(4) of



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BNS and Section 4(1) and 76(1) of Chit Funds Act, 1982 in Crime No.40 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with her son and father, was running a Diwali chit and had collected a huge amount of money from the general public and cheated 27 victims to the tune of Rs.70,92,000/-.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a house wife and is being falsely implicated only to arm-twist her; that the first and second accused, who are the petitioner's husband and son, have already been arrested and are still in custody and that in any case, custodial interrogation of the petitioner is not required and sought for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner had also played vital role in running a Diwali chit; that there are



two previous cases pending against the petitioner and her husband.

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5. The allegations are primarily made against the first and second accused, who have already been arrested. Even in the FIR, the allegations have been made as against the first and second accused. Considering the nature of allegations, the fact that the first and second accused, who are the husband and son of the petitioner have already been arrested and are still in custody, and since custodial interrogation of the petitioner 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 his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Poonamallee**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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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 ensure their identity.

[b] the petitioner shall report before the respondent police twice a week 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 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 BNS.

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Index : Yes / No
Internet : Yes / No
dpa



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To

- 1.The Inspector of Police,
Central Crime Branch,
Office of the Avadi Police
Commissionerate.
- 2.The learned Judicial Magistrate-I, Poonamallee
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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