

CRL OP NO. 14196 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP NO. 14196 of 2025

M.K.Lakshmi

W/o.Kalaimamani, 2022, 39th Street, Kakkanji Street, GKM
Colony, Jawahar Nagar, Chennai-600 082.

Petitioner(s)

Vs

The State Rep by, The Deputy Superintendent of Police,
EOW, Chennai. Cr.No.12/2022.

Respondent(s)

Prayer:- This Criminal Original Petition filed under Section 528 of BNSS, 2023, pleaded to relax the condition imposed that "the petitioner is directed to appear every first working day of once in two months before the respondent police at 10.30 a.m. from October 2024 until further orders" in CrI.M.P.No.2097 of 2024 dated 05.09.2024 on the file of learned Special Judge Under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment Act, 1997).

For Petitioner(s):

Mr.S.Mathivanan

For Respondent(s):

M/s.C. Baskaran Government Advocate
(Criminal Side)

ORDER

The petitioner/A4 had filed the present relaxation petition aggrieved by the dismissal order passed by the Special Court under the Tamil Nadu Protection of Interest of Depositors (in

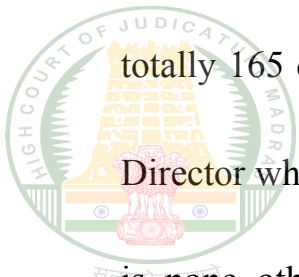


Financial Establishment) Act, 1997 in CrI.M.P.No.74 of 2025.



2.The contention of the petitioner is that the petitioner was arrested in Cr.No.12 of 2022 and she was granted bail in CrI.M.P.No.1037 of 2024 with a condition that the petitioner would appear before the respondent Police everyday at 10.30 a.m. until further orders. Thereafter, she filed modification petition in CrI.M.P.No.1256 of 2024 and the same was allowed on condition that the petitioner would appear before the respondent Police on every 1st and 15th day of every month at 10.30 a.m until further orders. Thereafter, another modification petition in CrI.M.P.No.2097 of 2024 was filed and the trial Court had modified the condition directing the petitioner to appear before the respondent Police every first working day of once in two months at 10.30.a.m from October 2024 until further orders. The petitioner has been complying with the conditions regularly and thereafter due to health issues and being a lady she finds it difficult to take care of her child she filed another CrI.M.P.No.74 of 2025 seeking total relaxation and the same was dismissed by the trial Court on 07.03.2025 for the reason that her husband named Kalaimamani/A2 who is the prime accused in this case is still absconding.

3.The learned Government Advocate (Criminal side) submitted that in this case there are



totally 165 depositors who have been cheated. A1 is the Company and A2 is t ing

Director who is the prime accused managing the entire affairs of the company. The petitioner

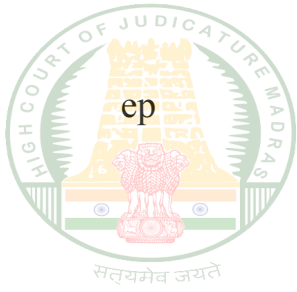
is none other than the wife of A2. The petitioner was granted bail and she had been

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complying with the condition. But she is unable to give any details with regard to her absconding husband. Apprehending the petitioner is very much necessary for further investigation. Further, the petitioner, her absconding husband and their children all are residing with the petitioner. Unless A2 is apprehended money cannot be unearthed and the depositors have to be paid back. Hence, he strongly opposed for grant of bail.

4. Heard the learned counsels on either side and perused the records.

5. It is seen that the petitioner is none other than the wife of prime accused A2 and she was granted bail on condition and the same has been periodically modified and now the condition is that she has to appear every first working day of once in two months before the respondent Police at 10.30 a.m. from October 2024 until further orders. This condition is not an onerous condition. Since, the petitioner's presence would be required for the purpose of investigation, this Court is not inclined to relax the condition imposed by the lower court in Crl.M.P.No.2097 of 2024 dated 05.09.2024. Accordingly, this Criminal Original Petition is dismissed.



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M. NIRMAL KUMAR, J.

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To

1. The State Rep by,

The Deputy Superintendent of Police,
EOW, Chennai.
Cr.No.12/2022.

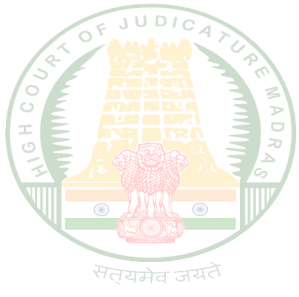
2.The Special Judge

under the Tamil Nadu Protection of Interest

of Depositors (In Financial Establishment Act 1997)

Chennai.

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24.06.2025