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CrI.O.P.No.17318 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17318 of 2025

Geetha

... Petitioner

Vs

State rep.by Inspector of Police,
G-7 Chetpet Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on
anticipatory bail in the event of her arrest by the respondent Police in Crime
No.85 of 2025.

For Petitioner : Mr.R.Venkatesh

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
Police for the offences punishable under Sections 406 & 420 IPC in Crime
No.85 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that in the year 2023, making false



assurance of getting allotment in Slum Clearance Board, A1, petitioner/A2 and A3 received Rs.2,45,000/- from the defacto complainant and received Rs.3,00,000/- from one Gowthan and also received Rs.2,40,000/- from one Naresh, but thereafter cheated them. Hence, the complaint.

3.The learned counsel for petitioner submits that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submits that A1 is the person who had received the amount from the victims to get allotment in the Slum Clearance Board. At no point of time, the petitioner/A2 met the victims and made any promise to get allotment in the Board. The petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.Learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the petitioner along with other accused made promise for getting allotment in Slum Clearance Board and received Rs.7,85,000/- from three victims and cheated them. Hence, strongly opposed for anticipatory bail.

6.It is seen that the petitioner and A1 promised three persons for



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getting allotment in the Slum Clearance Board and that as regards A1, she received Rs.6,00,000/- and the petitioner received Rs.4,95,000/-. Now the petitioner is coming forward to deposit Rs.4,95,000/- in the crime number without prejudice to the rights and contention of the petitioner.

7.In view of the above, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8.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 of receipt of a copy of this order, before the learned II Metropolitan Magistrate, Egmore 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b]The sureties shall affix their photographs and left thumb impression



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in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c]the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[d] the petitioner shall deposit a sum of Rs.4,95,000/- to the credit of Crime No.85 of 2025 within a period of four weeks from the date of receipt of a copy of this order. The amount to be deposited in any interest bearing account. It is made clear that no further extension of time would be granted to the petitioner in any manner. In the event of failure of payment within the said time, the present anticipatory bail is cancelled automatically.

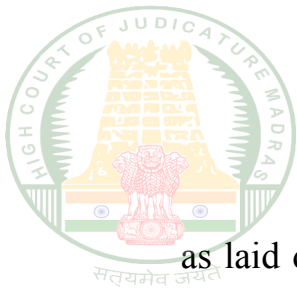
[e] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall make themselves available for interrogation by a Police officer as and when required;

[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

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

[i] 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 petitioners released on bail by the learned Magistrate/Trial Court himself



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as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

- 1.The Metropolitan Magistrate No.II,
Egmore, Chennai.
- 2.The Inspector of Police,
G-7 Chetpet Police Station,
Chennai.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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