



CRL OP NO. 28628 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

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D.Lalitha

W/o.Thangaraj, Lalithambigai Jewelers, 12 Car
Street, Chinna Kadai Street, Opp To Kvb Banck
Salem.

Petitioner(s)

Vs

Inspector Of Police
Economic Offences Wing-ii, Salem. Crime No.2
Of 2022

Respondent(s)

For Petitioner(s): R.Shriharan

For Respondent(s): V.Meganathan, Government Advocate (crl. Side)

ORDER

Apprehending arrest in connection with Crime No.2 of 2022 registered for the offences punishable under Sections 120B, 406, 420 IPC, 1860 and Section 5 of the Tamil Nadu Protection of Interest of Depositors [In Financial Establishment] Act, 1997, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that the petitioner along with A2 who is the husband of the petitioner was running a Jewellery Shop under the name and style of Lalithambigai Silver Jewellery at Salem and canvassed



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that on deposit of amount for the Jewellery, the depositors are able to purchase jewels without any wastages and various other schemes in respect of deposit. Believing their words, the de-facto complainant and others deposited a total sum of Rs.1.20 Crores. After maturity, the de-facto complainant and others have not received any amount and jewels from the accused persons as promised by them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that he had not received any amount from the depositors, but the petitioner has been falsely implicated in this case due to the confession of Co-accused. He would further submit that A1 was arrested and released on bail. He would further submit that there is no specific overt act against the petitioner and this is the fifth anticipatory bail petition before this court. He would further submit that the petitioner has no way connected with the alleged offence by the prosecution. Hence he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) would submit that the

husband of the petitioner was running a Jewellery Shop under the name and style of Lalithambigai Silver Jewellery at Salem. The petitioner along with other accused persons have collected a sum of Rs.10,75,000/- under the Jewels Savings Scheme from the de-facto complainant on the assurance that the depositors are able to purchase jewels without any wastages and also various other schemes in respect of deposit. But, after maturity of the scheme, the petitioner along with others neither returned jewels nor repaid the amount as promised by the accused persons. He further submitted that the petitioner and others had cheated the de-facto complainant and other victims for more than Rs.1.20 Crores and 84 complaints have been received so far. The petitioner had actively participated along with her husband. As on date, no amount has been recovered from the accused persons. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the



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petitioner with certain conditions and accordingly, she 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 **Special Judge, TNPID, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties [Out of two sureties, one should be blood surety] 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 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;

[c] the petitioner shall report before the respondent Police alternative days at 10.30 am for a period of three months.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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

[f] 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];

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

MSM

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