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Crl.O.P.No.29924 & 30046 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.01.2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP Nos.29924 & 30046 of 2024

1.Banu Chandar
2.Senthil @ Senthil Murugan
3.Snegalatha Dhanraj

...Petitioners/A1, 2 & 4
in Crl.O.P.No.29924 of 2024

K.Samundeswari @ Nithila

... Petitioner/A3 in
Crl.O.P.No.30046 of 2024

Vs

The State, Rep., by the Inspector of Police,
CCB, Avadi, Avadi Commissionerate,
Avadi City, Chennai District.
(Crime No.122 of 2024)

....Respondent in
both Crl.O.Ps.

For Petitioners in : Mr.S.Silambarasan
Crl.O.P.No.29924/2024

For Petitioner in : Mr.R.Surya Prakash
Crl.O.P.No.30046/2024

For Respondent : Mr.S.Santhosh,
in both Crl.O.Ps. Government Advocate (Criminal Side)

For Intervenor : Mr.S.Ramachandran



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COMMON ORDER

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Apprehending arrest in connection with Crime No.122 of 2024 registered for the offences punishable under Sections 465, 468, 471 and 420 IPC, the present petitions have been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this court. He would submit that it is a case of money transaction, which is falsely projected as one of job racketing and that the defacto complainant had given a sum of Rs.18 lakhs through bank transaction to the accused and other than that, no amount has been received by them. He would further submit that in order to show their bona fide, the first petitioner/A1 is ready to deposit the original title deed in respect of immovable property worth Rs.25 lakhs to the credit of Crime No.122 of 2024 on the file of the respondent. He would also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3.The learned counsel for the petitioner in Crl.O.P.No30046 of 2024 would submit that the petitioner is A3 and she is the associate



worker in the organization, in which, A4, the wife of A1, is working and A3 has no previous case as against her and she has been falsely implicated in this case.

4.The case of the prosecution as putforth by the learned Government Advocate(Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the first accused induced the defacto complainant on the assertion of getting a job for his children in Railways and received a sum of Rs.62 lakhs, out of which, Rs.18 lakhs was received through bank transaction by A1 and A3, who are working in the same organization with A4, had received cash to the tune of Rs.30 lakhs and A4, who is the wife of A1, had received a sum of Rs.12 lakhs by cash transaction. He would submit that the accused had also issued an appointment letter and Identification Cards and had also taken the candidates for training to several places and when it was found as fake, the defacto complainant had asked for return of money, the accused threatened him with dire consequences. He would also submit that no previous case is pending as against the accused.

5.Learned counsel appearing for the Intervenor vehemently opposed for grant of anticipatory bail to the petitioners and would submit



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that A1 is running a job consultancy and the accused under the guise of obtaining job in the Railway, had issued forged appointment letters, Railway Identity Cards and had also taken the candidates for training and cheated them.

6.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

7.On considering the voluntary submission made by the learned counsel for the petitioners, the first petitioner/A1 is directed to deposit a original title deed worth about 25 lakhs to the credit of Crime No.122 of 2024 without prejudice to his rights and contentions before the trial Court.

8.Merely because the first petitioner/A1 deposits the title deed, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

9.Taking into consideration the facts of the case, I am inclined to grant anticipatory bail to the petitioners subject to the following



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conditions:

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10. Accordingly, the first petitioner/A1 is directed to deposit a original title deed worth about 25 lakhs to the credit of Crime No.122 of 2024 without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on or on their appearance. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Poonamallee**, on condition that the petitioners shall execute a bond each for a sum of **Rs.15,000/- (Rupees Fifteen 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:

[a] the petitioners 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 petitioners shall report before the



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respondent police everyday at 06.30p.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of BNS.

24.01.2025

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To

- 1.The Judicial Magistrate No.I, Poonamallee.
- 2.The Inspector of Police, CCB, Avadi, Avadi Commissionerate, Avadi City, Chennai District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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