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Crl.O.P.No.30216 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 NO.30216 of 2024

Vijayalakshmi

....Petitioner

Vs

The State, Rep., by
The Inspector of Police,
T-4, Shankar Nagar Police Station,
Chennai, Chengalpattu District.
(Crime No.630 of 2024)

... Respondent

For Petitioner : Mr.Thiyagarajan

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

For Intervenor : Ms.T.Anto Chrisbeen Jenitha

ORDER

The petitioner, who apprehends arrest in connection with Crime No.630 of 2024, for the alleged offences punishable under Sections 406 and 420 of IPC, on the file of the respondent Police, seeks anticipatory bail.



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2. Pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He submits that the petitioner, a Government Servant, serving in Tamil Nadu Slum Clearance Board at Mylapore for the past 30 years, is arrayed as A1 in a case of job racketing where her son viz., Aravindan/A2 is alleged to have given false promise to secure the post of Executive Officer in the Government Department to the defacto complainant with the influence of the petitioner and the petitioner is said to have demanded Rs.70 lakhs and out of which, the defacto complainant had paid Rs.40 lakhs initially to the bank accounts of A2, A3-Agathiya(wife of A2), A4-Rajendran(father in law of A2) and A5-Manimegalai(mother-in-law of A2). He further submits that the petitioner has no role to play in this case and since the petitioner's son had misused her name, she had lodged a complaint against her son. He would also submit that she is ready to abide by any stringent condition that may be imposed by this Court.

3. 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 it is a case of job



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racketing and A2 and the defacto complainant are known to each other and when the defacto complainant was searching for a suitable job, A2 had promised to secure a Government job with the help of his mother/A1 and had introduced the defacto complainant to her and thereupon, the petitioner had demanded Rs.70 lakhs and out of which, she had received Rs.40 lakhs, however, neither the job has been secured nor the amount has been returned to the defacto complainant. He would submit that Aravindan/A2 and his wife A3 are living separately at Virudhachalam and A2 and his father-in-law had involved in money transactions and A2 had also parted some money from the defacto complainant and thereby disputes arose between them. Earlier, the petitioner had filed Crl.O.P.No.7006 of 2023 and A2 and A3 had filed Crl.O.P.No.25791 of 2023 in Crime No.397 of 2022 seeking anticipatory bail and this Court, by an order dated 21.11.2023, had dismissed the petitions on the ground that Crime No.397 of 2022 has been registered over a year back and though the permanent address of A1 was available in the service records of Tamil Nadu Slum Clearance Board, the respondent had not taken any steps to secure A1.



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4.The learned counsel appearing for the intervenor vehemently opposed for grant of anticipatory bail to the petitioner on the ground that the petitioner/A1 has cheated the defacto complainant to the tune of Rs.40 lakhs.

5.Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also the nature of offences involved, this court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, she is ordered to be released on bail in the event of arrest or on her appearance.

6. 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 on which the order copy made ready, before the **learned Judicial Magistrate, Pallavarm**, 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 learned Magistrate concerned, failing which, the petition for



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anticipatory bail shall stand dismissed and on further condition that:

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[a] the petitioner and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of her Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30a.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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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 of BNS.

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To

- 1.The Judicial Magistrate, Pallavaram
- 2.The Inspector of Police, T-4, Shankar Nagar Police Station,
Chennai, Chengalpattu District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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