

CRL OP NO. 32040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32040 of 2024

1. J.Karthiga
W/o.Jayaseelan

2. P. Jayaseelan,
S/o. R. Perumal

Petitioners(s)

Vs.

State Rep By , Inspector Of Police
Inspector Of Police Sholinghur Police Station, Ranipet
District Cr.No.318/2024

Respondent(s)

For petitioners(s):

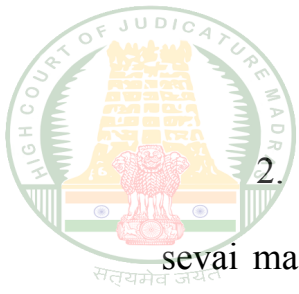
C Mohan Raj
C.V.Kumar
K.Tamilvanan
J.Muthumohan
S.J.Sasikala

For Respondent(s):

Public Prosecutor

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(2), 318(4) of BNS @ to Sections 335, 336(1), 336(2), 340(1), 340(2), 318(2) and 318(4) of BNS, in Crime No.318 of 2024, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the first accused operates an “e-sevai maiyam” and has induced gullible persons under the guise of obtaining old age pensions, and thereby receiving approximately Rs.23,85,000/- from the 33 victims. When it was questioned by the victims, the second petitioner, who is the husband of the first petitioner, allegedly threatened the victims. Hence, this case.

3. Learned counsel for the petitioners submits that the first petitioner has been arrested and still in custody. Consequently, the case against the first petitioner has become infructuous. While so, the second petitioner being the husband of the first petitioner, faces allegation of threatening the victims. However, he submits that there is no allegation that the petitioner induced and received money from the victims. Therefore, he prays that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners. He stated that the first petitioner is the main accused, who operated an “e-sevai maiyam” and collected money from the innocent individuals under the guise of securing old age pensions and other loans. As the first petitioner has been arrested and remains in judicial custody, the case against her has become



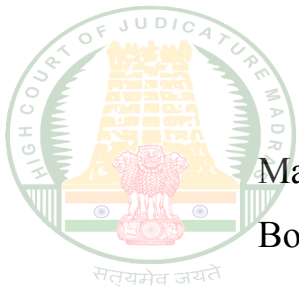
Rs.23,85,000/- , and the allegation against the second petitioner is merely one of threat.

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5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions, and as far as the first petitioner is concerned, she has been arrested and remains in judicial custody, hence the case against her has become infructuous and accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before **the learned Judicial Magistrate, Sholinghur Police Station, Ranipet District**, on condition that the petitioners shall execute separate 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 petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioners shall report before the respondent Police on everyday at 10:30 A.M., until further orders;

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

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

[f] 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 was 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

06.01.2025

klr

To

State Rep By , Inspector Of Police
Inspector Of Police Sholinghur Police Station, Ranipet
District Cr.No.318/2024

A.D. JAGADISH CHANDIRA, J.



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