



CRL OP(MD). No.7834 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7834 of 2025

Saradha @ Santhadevi

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Central Crime Branch (CCB),
Madurai City.
Crime No.11 of 2024

... Respondent/Complainant

For Petitioner : Mr.RM.Arun Swaminathan,
Advocate
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.11 of 2024 on the file of the Respondent-Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 24.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 120(B), 406 and 420 of Indian Penal Code, 1860 in Crime No.11 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that the petitioner received a sum of Rs.37,00,000/- (Rupees Thirty Seven Lakhs only) from the defacto complainant by assuring that she would arrange a Government job to her elder daughter. The petitioner neither repaid the amount nor secured any job. Hence the case.

4. Mr.RM.Swaminathan, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence, and that a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide any conditions to be imposed by this Court, and co-operate with the investigation. Therefore, he prays for granting pre-arrest bail to the petitioner.



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5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police submits that the petitioner has cheated a sum of Rs.37,00,000/- (Rupees Thirty Seven Lakhs only) from the defacto complainant by assuring that she would arrange a Government job to her elder daughter. He further submits that if pre-arrest bail is granted to the petitioner, she may cause threat to the defacto complainant and the witnesses. He further submits that the defacto complainant sent a sum of Rs.1,00,000/- to the account of the son of the petitioner. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is seen from the records that the alleged transaction took place in the year 2023-2024. The defacto complainant filed a compliant under Section 156(3) of Cr.P.C., on 17.05.2023. Based on the complaint, FIR was registered on 01.03.2024 in Crime No.11 of 2024 on the file of the respondent-Police. It is learnt that the petitioner is residing in the same address. However, the respondent-Police has not even taken any steps to secure the petitioner till date. The conduct of the respondent-Police would show that the custodial interrogation of the petitioner is



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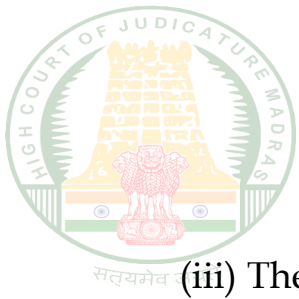
not necessary for the investigating agency.

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8. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the fact that since the respondent-Police has not secured the petitioner, till date, the custodial interrogation of the petitioner may not be required for the investigating agency, and with a view to give an opportunity to the petitioner to reform herself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate I, Madurai, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate I, Madurai;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate I, Madurai, shall obtain a copy of any one of identity proofs to ensure their identity;



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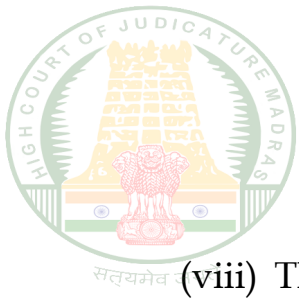
(iii) The petitioner shall appear and sign before the learned Judicial Magistrate I, Madurai, on all working days at 10.30 a.m., until further orders;

(iv) The petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.11 of 2024 on the file of the respondent-police, before the learned Judicial Magistrate I, Madurai, within a period of thirty days from today (i.e., on 28.04.2025). In turn, the learned Judicial Magistrate shall deposit the said amount in an interest-bearing Fixed Deposit in any nationalized Bank initially for a period of one year and renew them periodically until the final order / judgment is passed in the case in Crime No.11 of 2024. The learned Judicial Magistrate/Trial Court shall pass orders qua entitlement of the said amount in its final order/judgment;

(v) The petitioner shall make herself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without the previous permission of the Court;



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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper with the evidence;

(ix) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate I, Madurai; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate I, Madurai or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

9. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
28/04/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO मेव जयते

1. THE JUDICIAL MAGISTRATE I, MADURAI.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH (CCB),
MADURAI CITY.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.RM.ARUN SWAMINATHAN, Advocate (SR-4972[I] dated
29/04/2025)

ORDER
IN

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Date :28/04/2025

VN/26.05.2025 7P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023