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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22265 of 2024

Sivasridevi

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
District Crime Branch,
Madurai.
Cr.No.11 of 2024.

... Respondent/Complainant

For Petitioner : Mr.Kannan KK,

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.11 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for



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the alleged offence under Sections 406, 420 and 120(B) of IPC in Crime No.11 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is settled in America. She got in touch with the accused persons for renting a property. At that point of time, the accused persons informed the defacto complainant that if she invests some money in the share market, the accused persons will be able to get profits regularly. Initially a sum of Rs.1 lakh was paid by the defacto complainant and the accused persons gave a sum of Rs.20,000/- as profit. Believing the same, the defacto complainant started investing more and a total sum of Rs.14,85,000/- was collected from the defacto complainant. It is alleged that the accused persons did not invest this money and it was taken away by the accused persons and ultimately both A1 and A2 escaped. There are totally 2 accused persons in this case and the petitioner has been arrayed as A2.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case, this Court referred the parties to mediation. The parties were not able to reach any settlement and a report has been place before this Court.

5.Considering the nature of transaction between the parties and taking note of



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the fact that the petitioner was the wife of A1 and A1 was already arrested and enlarged on bail by this Court in CrI.O.P(MD)No.21707 of 2024, dated 10.12.2024, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate No.I, Madurai, 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 said Magistrate, on further condition that:

[a] if the petitioner fail 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 as and when required for interrogation.

[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]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
22/01/2025

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/02/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
MADURAI.

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

+1 CC to M/s.K.K.KANNAN, Advocate (SR-661[I] dated 22/01/2025)

ORDER
IN
CRL OP(MD) No.22265 of 2024
Date :22/01/2025

NBF / SAR- (13/02/2025) 5P/6C

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