

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Wednesday, the 8th day of May, 2024.

CrI.M.P. No. 103/2024

(CNR.No.TNKK0V-000153-2024)

Anusha, D/o. Manikandan (A1)

..Petitioner

/Vs./

Inspector of Police,

Eraniel Police Station,

Crime No.306/2022 of Eraniel Police Station,

Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru A. Sundar, u/s 438 Cr.P.C.,
praying to grant anticipatory bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

The petitioner/accused alleged to have been committed the offence u/s
420 and 406 of IPC.

The case of the prosecution is that the defacto complainant is running a
finance at Mondaymarket. On 03.05.2022 and 06.06.2022 at about 2.30 P.M. the 1st
accused had pledged fake gold jewels in the finance company of the defacto
complainant and obtained Rs.1,43,000/-. Hence the charge.

The learned counsel for the petitioner submitted that the petitioner is innocent and she has not committed any offence as alleged by the prosecution and the petitioner never did any such act and based on the confession of one Jesuraja in Crime No.111/2022 of Kotticode Police Station, this petitioner has been falsely implicated in this case and the earlier anticipatory bail petition in CrI.M.P.No. 4154/2022 was dismissed by the Principal Sessions Court, Nagercoil on 16.08.2022 and the co-accused was granted anticipatory bail by the Principal Sessions Court, Kanniyakumari at Nagercoil on 16.09.2022 in CrI.M.P. No.4980/2022 and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that this petitioner and A2 are husband and wife and on 03.05.2022 this petitioner and A2 pledged the spurious ornaments and obtained Rs.68,000/- from the defacto complainant and again on 06.06.2022 she pledged two spurious bangles and obtained Rs.75,000/- and they gave fake name and address. Originally the case was registered by the Kotticode Police Station and she was arrested in that case. Totally ten cases pending against the petitioner and in one case she was arrested and released on bail and the husband of the petitioner was released on bail by the Principal Sessions Court, Nagercoil on 16.09.2022 in CrI.M.P.No.4980/2024 and the investigation of the case is not yet over.

Considered the objection of the learned Public Prosecutor. Considering the nature of the offences alleged to have been committed by the petitioner/accused

and also considering the fact that the co-accused was granted anticipatory bail by the Principal Sessions Court, Nagercoil on 16.09.2022 and the case is of the year 2022 and by this time the major portion of the investigation would have been completed, this court is inclined to grant anticipatory bail to the petitioner/accused with conditions.

In the result, in the event of arrest or on her appearing before the court concerned the petitioner is ordered to be enlarged on anticipatory bail on her executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate, Eraniel subject to the following conditions:-

1. The petitioner shall appear before the court concerned within 15 days from today without fail.
2. After release, the petitioner shall appear and sign before the Sub Inspector of Police, Puthukadai Police Station daily at 10.00 A.M. until further orders.
3. The petitioner shall also make herself available before the respondent as and when required.
4. The petitioner shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
5. The petitioner shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the

Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

Pronounced by me in open court this the 8th day of May, 2024.

Vacation Sessions Judge.

To

The Judicial Magistrate, Eraniel. (through e-mode)

The Inspector of Police, Eraniel Police Station. (through court cell e-mode)

The Inspector of Police, Puthukadai Police Station. (through court cell e-mode)

The counsel for the petitioner.