

In the Court of the Principal District Judge, Madurai.

Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,

Principal District Judge, Madurai.

Tuesday, this the 5<sup>th</sup> day of May - 2020.

CrI.M.P.No.2211/2020

Nagajothi, W/o **Gopalakrishnan** (\*)

(\*) **Amended as per order in Cr.M.P.**

**No.2378/2020)**

... Petitioner/Accused.

Vs.

State through the Inspector of Police,

Tallakulam P.S. Cr.No. 2169/2019

.. Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.B.Pandiyarajan, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Bail application u/s. 439 of Cr.p.c.

2. The offences alleged are U/s. 406, 420 IPC.

3. Heard.

4. The learned counsel for the petitioner would submit that a case has been registered against the accused in Cr.No.2169/2019 of Tallakulam P.S. U/Sec. 406 and 420 of IPC, the petitioner was arrested on 14.12.2019 and she is in judicial custody for the past 143 days, charge sheet not yet filed hence he prays to grant bail to the petitioner.

5. Per contra the learned public prosecutor would submit that the defacto complainant is a widow and the petitioner met the defacto complainant in a hospital and they became friends and the accused assured the defacto complainant that she will get appointment to her in a private school at Madurai and demanded Rs.5 lacs. Believing her words, the defacto complainant deposit of Rs. 1 lac, Rs. 50,000/- and Rs. 2 lacs totally Rs.3,50,000/- in the bank account of the petitioner on 15.11.2019, 19.11.2019 and 10.12.2019 respectively, but the petitioner has issued fake appointment order and did not

return back the money and thus cheated the defacto complainant. Investigation is still pending and he strongly objected to grant bail to the petitioner.

6. Considered the argument of the both sides. The learned public prosecutor has raised strong objection. The petitioner has been in judicial custody for the past 143 days, charge sheet not yet filed. Considering the incarceration period of the petitioner and the other facts and circumstances, this Court is inclined to grant interim bail to the petitioner on condition till 3.6.2020.

Accordingly, the petitioner is directed to release on interim bail till 3.6.2020 on executing own bond by him for Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Superintendent, Central Prison, Madurai. Further, the petitioner is directed to deposit a sum of Rs.50,000/- before the Judicial Magistrate concerned on or before 3.6.2020. Call on 4.6.2020

Pronounced by me in Camp Court on the 5th day of May - 2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Tallakulam P.S.
3. The Superintendent, Central Prison, Madurai (Women)
4. The Petitioner through his counsel.