

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NOS. _____ OF 2024
(Arising out of SLP(Crl.) Nos. 8654-8657 of 2024)

POORNIMA ETC.

Appellant(s)

VERSUS

**STATE REP BY DEPUTY
SUPERINTENDENT OF
POLICE EOW & ANR.**

Respondent(s)

O R D E R

1. Leave granted.
2. This appeal challenges judgment the order dated 04.07.2024 passed by the learned Single Judge of the High Court of Judicature at Madras, vide which the application filed by the present appellant for modification of the condition in the order dated 21.03.2024 came to be rejected.
3. The bail was granted to the appellant by the High Court vide order dated 21.03.2024 on the condition that the appellant would deposit an amount of Rs.3 crores within a period of eight weeks from that date.

4. Shri Manan Kumar Misra, learned senior counsel appearing for the appellant submits the appellant's husband has committed suicide as he was unable to pay the required amount to the depositors. He submits that though she has attempted to sell the property, she has been unable to find a buyer and could not raise the necessary amount.

5. This Court in a catena of cases has held that the Court should not impose such conditions which in effect amount to a denial of justice.

6. In order to protect the interest of the investors, we direct that the appellant shall not create any third party rights or any encumbrances on the properties which were owned by her husband.

7. We are also informed that there is also an enactment in the State of Tamil Nadu known as the Tamil Nadu Protection of Interests of the Depositors (in Financial Establishments) Act, 1997. The proceedings can be initiated under the said provisions by the State for attaching the properties of the appellant's husband and auctioning those properties to recover amounts

owned to the investors.

8. With the above observations, the appeals are allowed. The application filed by the appellant before the High Court of Judicature at Madras for modification of the order dated 21.03.2024 is allowed. The condition of depositing of Rs. 3 crore as a pre-condition for grant of bail is quashed and set aside.

9. Pending application(s), if any, stand(s) disposed of.

.....J
(B.R. GAVAI)

.....J
(K.V. VISWANATHAN)

New Delhi
November 12, 2024

VERDICTUM.IN

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ITEM NO.7

COURT NO.2

SECTION II-C

**S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Crl.) No(s). 8654-8657/2024

[Arising out of impugned final judgment and order dated 04-07-2024 in CRLMP No. 9626/2024 04-07-2024 in CRLMP No. 9681/2024 04-07-2024 in CRLMP No. 9682/2024 04-07-2024 in CRLMP No. 9683/2024 passed by the High Court of Judicature at Madras]

POORNIMA

Petitioner(s)

VERSUS

**STATE REP BY DEPUTY
SUPERINTENDENT OF POLICE EOW & ANR.**

Respondent(s)

(IA No.141972/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.141971/2024-EXEMPTION FROM FILING O.T., IA No. 141972/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 141971/2024 - EXEMPTION FROM FILING O.T., IA No. 176652/2024 - INTERVENTION/IMPLEADMENT, IA No. 176654/2024 - VACATING STAY)

Date : 12-11-2024 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN**

For Petitioner(s)

**M/S. Ram Sankar & Co, AOR
Mr. Manan Kumar Mishra, Sr. Adv.
Mr. S Prabakaran, Sr. Adv.
Mr. Ma Gouthaman, Adv.
Mr. M Naveen, Adv.
Mrs. Usha Prabakaran, Adv.
Mr. Maheswaran Prabakaran, Adv.
Ms. Anjul Dwivedi, Adv.
Dr. Ram Sankar, Adv.
Mrs. Harini Ramsankar, Adv.**

For Respondent(s)

**Mr. V Krishnamurthy, Sr. A.A.G.
Mr. D.Kumanan, AOR**

VERDICTUM.IN

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Ms. Deepa S, Adv.
Mr. Sheikh F Kalia, Adv.
Ms. Azka Sheikh Kalia, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.

Mr. P. Soma Sundaram, AOR
Mr. M. P. Parthiban, Adv.
Mr. Y. Arunagiri, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeals are allowed in terms of the signed order.
3. Pending application(s), if any, stand(s) disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

[Signed order is placed on the file]