

**IN THE COURT OF SPECIAL ADDITIONAL CHIEF JUDICIAL
MAGISTRATE, THRISSUR**

Present: **Smt. Aswathy N., Additional Chief Judicial Magistrate**

Dated, this the **20th** day of **May, 2026**.

CMP: 16/2026 in CC 94/2016

(Cr. No.378/2011 of Alathur Police Station)

(CBCID Cr. 799/CR/EOW-II/KTM/11)

Petitioner/Accused No. 11 : Subhashini, W/o. Suresh Chedella, Flat no. 202, Lalitha Kam Setty Apartments, Green Hills Colony, Plot No. 2/B, Rangareddy, Telungana – 500 035.

(By Adv. Sri. Priyan P.G.)

Respondent/Complainant : State represented by the Deputy Superintendent of Police, CBCID EOW-II, Ernakulam Sub Unit.

(Cr. No. 378/2011 of Alathur Police Station)

(CBCID Cr. 799/CR/EOW-II/KTM/11)

(By Sri. Ananthakrishnan P.A., Assistant Public Prosecutor, Court of Additional Chief Judicial Magistrate, Thrissur.)

Application : U/s. 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Order : Allowed.

ORDER

Third Bail Application filed U/S 480 of BNSS

1. **The averments in the petition in brief are as follows:** The petitioner is the accused no.11 in the above case. She is alleged to have committed offences

punishable under sections 120B, 406, 420 r/w 34 of the Indian Penal Code and sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and sections 7 and 9 of The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954.

2. The petitioner submits that she has not concealed her address and has been in judicial custody for the last 60 days. It is further averred that there is no material evidence connecting her with the alleged offences and that she was only a minority shareholder in one of the companies involved. The petitioner further undertakes to abide by any condition that may be imposed by this Hon'ble Court in the event of granting bail.

3. **Report filed through learned Assistant Public Prosecutor stating as follows:** The prosecution opposes the application contending that the petitioner could not be arrested during the investigation stage as she had been absconding. It is submitted that the Final Report was filed on 15.02.2021 and, since the petitioner continued to abscond, charge could not be framed against her. The prosecution further submits that the petitioner was not available at the address furnished by her. It is also contended that the petitioner is involved in other similar cases and, therefore, there is every likelihood of her absconding again if she is released on bail.

4. **The petitioner was arrested and produced on warrant on 27/03/2026. She was remanded to judicial custody.**

5. **Heard both sides.**

6. The prosecution case, in brief, is that the accused, acting on behalf of Nano Excel Company, dishonestly induced the defacto complainants to part with an amount of Rs. 6,36,000/- by promising returns of at least ten times the invested amount within a period of three years. It is further alleged that the accused also promised a share in the profits and monthly incentives. However, after obtaining the

amount, the accused allegedly failed to provide either the promised profit or return of the invested money and thereby conducted an illegal money circulation scheme, cheated the defacto complainant and misappropriated the amount so obtained.

7. The crime is of the year 2012. The examination of the witnesses has not commenced yet. The Report of learned APP shows their apprehension of accused fleeing from justice by delaying trial. The petitioner contends that she has not concealed her address. However, the said contention does not appear to be believable from the fact that the petitioner had been absconding from the stage of investigation and did not appear before the Court even after knowledge of the case being taken on file of this Court. Nevertheless, as noted earlier, she has been in custody for the last 60 days and the trial has not yet commenced. Due to the nature of the case, it will take time to complete the trial and keeping the petitioner in custody further would be punitive. Further it is noted that petitioner is a women and mother of two minor children. The apprehension of the Investigating Agency could be met by imposing stringent conditions. Accordingly, the petitioner is enlarged on bail on the following conditions :

- 1) The petitioner shall execute bond for Rs. 1,00,000/- (Rupees One lakh only) with two solvent sureties each for like amount.
- 2) The petitioner shall within three days of her release inform in writing to the Investigating Officer and the Court her address and the police station limits within which she will be residing during the trial of this case. In case of change of residence it must be informed in writing to the investigating officer and the Court without delay.
- 3) The petitioner shall appear before the SHO concerned, within whose jurisdiction she will be residing during the said period, on every Monday between 9 a.m. and 10 a.m., till the disposal of this case. The investigating officer shall ensure compliance of this condition. In the event of violation,

the bail is liable to be cancelled.

- 4) The petitioner shall be present in all posting dates of this case. In case of her inability, application must be filed and leave obtained.
- 5) Petitioner shall surrender her passport within three days of her release. If she is not holding a passport, she shall file an affidavit to that effect.

(Dictated to the Confidential Assistant, typed by her directly to the computer, corrected and pronounced by me in the open court this, the 20th day of May, 2026.)

Sd/-
Additional Chief Judicial Magistrate,
Thrissur.

// True copy //

Sd/-
Additional Chief Judicial Magistrate,
Thrissur.