



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.7088 of 2016

M. SUBBAMMAL

... PETITIONER/ACCUSED NO.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
CITY CRIME BRANCH,
TIRUNELVELI CITY,
CRIME NO. 15 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.SELVA Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

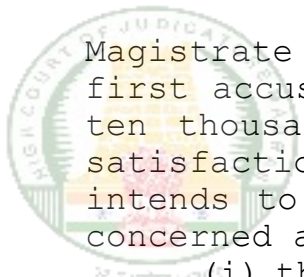
The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 420, 468, 471(A), 120 I.P.C., in Crime No.15 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.V.Selva, learned counsel appearing for the petitioner / first accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that earlier this Court, by Order dated 30.03.2016, in Crl.O.P.(MD) No.3801 of 2016, granted anticipatory bail to the petitioner / first accused. But, she had not produced sureties in time before the Court below and on account of which, the anticipatory bail granted to her got lapsed. The petitioner / first accused filed an affidavit, dated 27.04.2016, giving reasons for not producing sureties in time. The relevant portion of the affidavit reads as follows:

"6.I respectfully submit that I moved 2nd Anticipatory Bail Petition moved before this Hon'ble Court in Crl.O.P.(MD) No.3801 of 2015 and the same was granted on 30.03.2016, passed by this Hon'ble Court. Due to I am affected viral fever, I could not able to execute the sureties with the concerned Judicial Magistrate."

4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner / first accused. Accordingly, she is ordered to be released on 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.IV, Tirunelveli, on condition that the petitioner / first accused 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / first accused shall report before the respondent Police daily morning at 10.30 a.m., until further orders.
- (ii) the petitioner / first accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / first accused shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / first accused in accordance with law as if the conditions have been imposed and the petitioner / first accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
28/04/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI.

2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECOR OF POLICE,CITY CRIME BRANCH, TIRUNELVELI CITY.

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

+1. CC to M/S V.SELVA Advocate SR.No.25455

ORDER
IN
CRL OP(MD) No.7088 of 2016
Date :28/04/2016