



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

Thursday, the Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13509 of 2017

VIJAYA

... PETITIONER / ACCUSED No.1

Vs

State represented by
THE INSPECTOR OF POLICE

UPPILIYAPURAM POLICE STATION, TRICHY DISTRICT,
CRIME NO. 216 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHICK Advocate

For Respondent : MR.K.Anbarasan, Govt. Advocate (Crl. Side)

For Intervenor : Mr.S.Ramakrishnan, Advocate

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

ORDER : The Court Made the following order :-

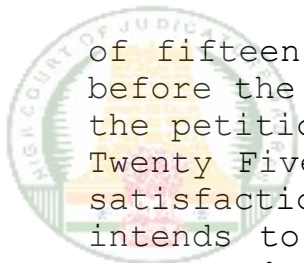
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 and 506(i) of I.P.C., in Crime No.216 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. Unfortunately, the wife filed this anticipatory bail petition, on the complaint made by the husband of the petitioner/de-facto complainant before the Law Enforcing Agency.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the wife of the de-facto complainant and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case.

4. The learned counsel appearing for the intervenor/husband would submit that admittedly, the petitioner is the wife of the de-facto complainant and she stolen the cheque leaves and handed over the same to the second accused, thereby he is facing criminal complaint under Section 138 of the Negotiable Instruments Act. Hence, he prays for dismissal of this anticipatory bail petition.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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, Thuraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties 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:

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- (I) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (ii) the petitioner shall make herself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iii) the petitioner shall not commit any offence while on bail;
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the bail granted stands cancelled automatically.

sd/-
05/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR
 - 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
 - 3 THE INSPECTOR OF POLICE
UPPILYAPURAM POLICE STATION, TRICHY DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.M.S.JEYAKARTHICK Advocate SR.No.32194

ORDER
IN
CRL OP(MD) No.13509 of 2017
Date :05/10/2017

SM:CM-MSA:SAR 3:9.10.2017:2P/6C