



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

Wednesday, the Sixth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16748 of 2017

PHILOMINA

... PETITIONER / ACCUSED NO.3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TIRUCHIRAPPALLI.
IN CRIME NO.16 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate

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

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

ORDER : The Court Made the following order :-

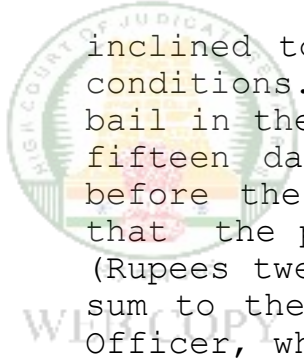
The petitioner/accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 406, 465, 467 and 420 of IPC, in Crime No.16 of 2017, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner's husband, namely, Uthayakumar and one Arockiyasamy, promised the defacto complainant to secure a catering job for his son in German and received a sum of Rs.1,70,000/-. After one year they neither secure a job to his son nor return the money. On Complaint, case has been registered for the above said offences against the petitioner and other accused persons.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is not involved in any of the allegation levelled against her husband and one Arockiyasamy and she is a housewife and her name was not found in the First Information Report.

4. The learned Government Advocate (Criminal side) appearing for the respondent did not dispute the facts submitted by the learned counsel for the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that this is a case and counter 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five 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 shall report before the investigation officer as and when required;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall make herself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioner shall not commit any offence while on bail;
- (v) 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 anticipatory bail granted stands cancelled automatically.

sd/-

06/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TIRUCHIRAPPALLI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.35667

ORDER

IN

CRL OP(MD) No.16748 of 2017

Date :06/12/2017