



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

Friday, the Twenty Eighth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.9755 of 2017

SUGANTHI

... PETITIONER/ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO.428/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.ARUNMOZHI RAJASHANKAR Advocate

For Respondent : MR.K.S.DURAI PANDIAN, Additional Public Prosecutor

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 alleged offence punishable under Section 380 of IPC., in Crime No.428 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner said to have taken away 11 sovereigns of gold chain from the Temple, which belongs to the defacto complainant and as per C.C.T.V. camera footage, the petitioner has taken the gold chain.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and she has not committed any offence, as alleged by the respondent. He would further submit that the defacto complainant's husband is the President of Nadar Uravinmurai and on ill motive against the petitioner, the defacto complainant gave complaint to Rajapalayam North Police Station on 26.04.2017 and after 17 days, the case was registered, as per the direction of Judicial Magistrate Court, Rajapalayam. He also submitted that the petitioner is a Government Servant working in a Noon Meal Scheme.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner is the sole accused in this case and she said to have taken away 11 sovereigns of gold chain from the Temple, which belongs to the



defacto complainant and as per C.C.T.V. camera footage, the petitioner has taken the gold chain and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that the case was registered against the petitioner, as per C.C.T.V. camera footage given by the complainant herself, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned Judicial Magistrate, Rajapalayam, Virudhunagar District, on condition that the petitioner 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 the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall report before respondent Police daily at 6.00 p.m., until further orders, for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/07/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.ARUNMOZHI RAJASHANKAR Advocate SR.No.27555

ORDER

IN

CRL OP (MD) No.9755 of 2017

Date : 28/07/2017