



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

Tuesday, the Fifth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.1370 of 2019

PETCHIAMMAL

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SIVANTHIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.199/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.T.SASIDHARAN TAMILKANI Advocate

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

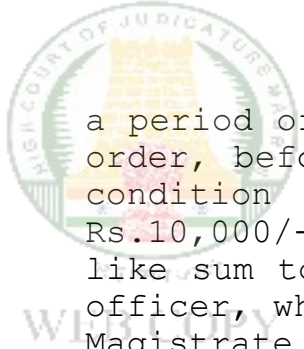
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 406, 409 and 420 I.P.C. in Cr.No.199 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that while the petitioner temporarily worked as a Branch Postmaster in the year 2016, she was misappropriated the amount of Rs.41,200/- from the defacto complainant's Post Office, for which, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner would submit that due to previous enmity, this false case has been foisted against the petitioner and the petitioner did not commit any offence as alleged by the prosecution.

4.Heard the learned Additional Public Prosecutor appearing for the State.

5.In view of the above, 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 No.3, Tirunelveli, 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:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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 as if the conditions have been imposed and the petitioners 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
05/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.3,
TIRUNELVELI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT

3. THE INSPECTOR OF POLICE,
<https://hcservices.ecourts.gov.in/hcservices/>
SIVANTHIPATTI POLICE STATION,
TIRUNELVELI DISTRICT.



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

+1. CC to MR.S.T.SASIDHARAN TAMILKANI Advocate SR.No.2402

ORDER

IN

CRL OP(MD) No.1370 of 2019

Date :05/02/2019

AE/PN/SAR2/08.02.2019/3P/6C