



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

Thursday, the Thirty First day of January Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1550 of 2019

MUTHULAKSHMI

... PETITIONER/ACCUSED

RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VADIPATTY POLICE STATION,
MADURAI DISTRICT.
CRIME NO.687 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.SELVAKUMAR, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

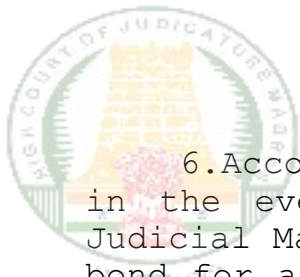
The petitioner, apprehending arrest at the hands of the respondent police for the offence punishable under Section 380 of I.P.C, in Crime No.687 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 14.12.2018, the petitioner and other accused purchased sarees of Rs.1,000/- and after that the defacto complainant, who is the owner of the Textiles verified that the CCTV and at that time, the petitioner and other accused were theft 14 Sarees from the defacto complainant's shop, worth about Rs.35,000/-. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and she has nothing to do with the alleged crime and her name has not been found in the F.I.R. Hence, anticipatory bail may be granted to her.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner petitioner is arrayed as third accused in this case investigation is in progress.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:-
<https://hcservices.ecourts.gov.in/hcservices/>



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 Court, Vadipatti, Madurai and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that :-

[a] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Rojavanam, Home for Aged and Poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai.

[c] The petitioner report before the respondent Police daily at 10.30 a.m. for a period of two weeks thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 petitioner 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
31/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VADIPATTI,
MADURAI DISTRICT

<https://hcservices.ecourts.gov.in/hcservices/>

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



3 THE INSPECTOR OF POLICE,
VADIPATTY POLICE STATION, MADURAI DISTRICT.

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

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COPY TO: THE OFFICER INCHARGE,
THE ROJAVANAM, HOME FOR AGED AND POOR,
UTHANGUDI, MELUR ROAD, MADURAI

+1. CC to MR.S.SELVAKUMAR, Advocate SR.No.2018

ORDER
IN
CRL OP(MD) No.1550 of 2019
Date :31/01/2019

LS
PK/JC/SAR-1/08.02.2019 : 3P/7C