



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

Tuesday, the Twenty Sixth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4515 of 2019

K.RANI

... PETITIONER/ ACCUSED No.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION,
MADURAI CITY.

Crime No.136/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr. S. SITHARTHAN Advocate

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

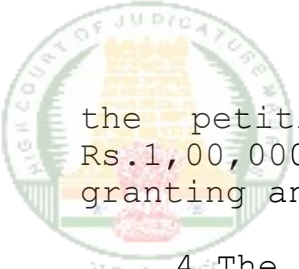
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 323, 506 (i) and 420 IPC in Cr.No.136 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner arrayed as A2. A2 and A1 are wife and husband. A2 is working as Inspector of Assessment in Tamil Nadu Electricity Board and A1 is doing real estate business. A2 along with A1 approached the defacto complainant with a false promise that they would arrange for Metre Reader Job in Tamil Nadu Electricity Board and received a sum of Rs.6,00,000/- from the defacto complainant. However, they neither arranged for the job nor repaid the amount received from the defacto complainant. Hence this complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and have been falsely implicated in this case. In the FIR, on 31.01.2017, the petitioner and her husband went to the defacto complainant's shop and threatened him with dire consequences. However, the fact remains on 31.01.2017, the defacto complainant himself made a complaint against A1 in order to close the previous complaint. The defacto complainant preferred a false complaint before the respondent police. He would further submit that



the petitioner is ready and willing to deposit a sum of Rs.1,00,000/- without prejudice to their rights and prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that if the petitioner is come forward to deposit a sum of Rs.1,00,000/-, this Court may consider the anticipatory bail application of the petitioner.

5.Considering the facts and circumstances of the case and since the petitioner is come forward to deposit a sum of Rs.1,00,000/- (Rupees One Lakhs Only) without prejudice to their rights and contentions to show their bona fide, this Court is inclined to grant anticipatory bail to the petitioner. 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, No.V, Madurai 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 shall deposit a sum of Rs.1,00,000/- to the Credit of Crime Number 136 of 2017 before the learned Judicial Magistrate, No.V, Madurai before the execution of sureties, without prejudice to their defence.

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

(c)the petitioner shall report before the respondent police 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 petitioners 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/-
26/03/2019

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/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO V,
MADURAI.
 2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE
KARIMEDU POLICE STATION, MADURAI CITY.
 4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.SITHARTHAN Advocate SR.No.5528

ORDER
IN
CRL OP(MD) No.4515 of 2019
Date : 26/03/2019

TK/MMS/SAR-2/28.03.2019/3P/6C