



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10970 of 2019

Krishnaveni

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
District Crime Branch
Theni District.
Crime No.51 of 2018

... Respondent

For Petitioner : M/s.P.M.Vishnuvarthanan,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

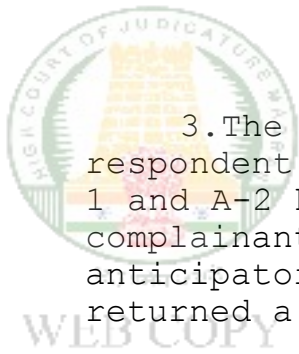
PRAYER :-

For Anticipatory Bail in Crime No.51 of 2018 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406, 420, 294(b), 506i) of IPC in Crime No.51 of 2018, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and she has not committed any offence. He further submitted that only the petitioner's husband viz., Mr.Nagendran (A-1) along with two others, by giving a promise to obtain a job in abroad, received a sum of Rs.9,50,000/- from the defacto complainant and thereafter, the petitioner's husband has deposited a sum of Rs.3,50,000/- in the defacto complainant's bank account and hence, he prayed for grant of anticipatory bail to the petitioner.



3.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the petitioner is the wife of A-1. A-1 and A-2 have jointly received a sum of Rs.4 lakhs from the defacto complainant. Hence, he opposed this petition for granting anticipatory bail. However, he fairly conceded that A-1 has already returned a sum of Rs.3,50,000/- to the defacto complainant.

5.Taking into consideration of the fact that the petitioner is the wife of A-1, also the fact that she along with her husband (A-1) have jointly received a sum of Rs.4 lakhs from the defacto complainant and also the fact that A-1 has already returned a sum of Rs.3,50,000/- to the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

6. 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, Theni on condition that the petitioner shall execute 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 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:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for the interrogation.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

16/08/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, THENI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, THENI DISTRICT.

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

+1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.13662

ORDER

IN

CRL OP(MD) No.10970 of 2019

Date :16/08/2019

MS/VR/SAR-2/21.08.2019/3P.6C