



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12271 of 2020

M.Angayarkanni

... Petitioner/9th Accused

Vs

The State rep. by
The Inspector of Police,
Checkanurani Police Station,
Madurai District.
Crime No.1939/2020.

... Respondent/Complainant

For Petitioner : M/s.V.Venkatasamy,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No.1939 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal Side) appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 120-B, 406 and 420 of I.P.C., in Crime No. 1939 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The learned counsel for the petitioner states that she was holding the post of Sub Registrar and she registered the document, since it was presented by the other accused. The Sub Registrar is not the authority to deny registration, whenever the procedures are followed.



4.This being the factum, the involvement of the petitioner / 9th accused is to be find out only after completing the investigation.

5.However, taking into consideration that the petitioner was working as a Sub Registrar and was performing his duties at that point of time, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Usilampatti, and on her executing 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 learned Magistrate concerned and on further condition that on further condition that,

(a)the petitioner and the sureties shall affix their 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;

(b)the petitioner shall report before the respondent police daily morning at 10.00 a.m., without fail, for a period of Two Weeks and thereafter as on when required for 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;

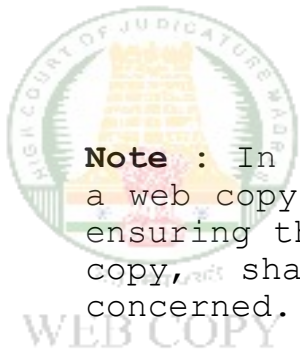
(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
11/11/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.
2. -DO- THOROUGH: THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
3. THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12271 of 2020
Date :11/11/2020

RMI
SRS/JC/SAR-IV/20.11.2020/3P/5C