



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/12/2020

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16151 of 2020

Vinitha

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Sellur Police Station,
Madurai City.
Crime No.2670 of 2020.

... Respondent/Complainant

For Petitioner :Mr.M.S.Jeyakarthik,
Advocate.

For Respondent :Mr.Seenivasan,
Government Advocate (Crl.Side)

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

PRAYER :-

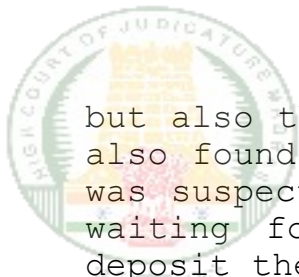
For Anticipatory Bail in Cr.No. 2670 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Section 380 of I.P.C., in Crime No.2670 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.A reading of the FIR and hearing arguments of the respective parties, it is seen that the FIR has been registered on the basis of the second occurrence, in which 18 grms of gold jewels were found stolen. The petitioner was suspected not only the present occurrence



but also that in the earlier occurrence, in which Silver vessel was also found missing. In that case also the petitioner's involvement was suspected. According to the petitioner, she is educated and now waiting for job. The petitioner has expressed her readiness to deposit the value of the alleged stolen articles.

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4.Considering the position of the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Madurai 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 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)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 deposit a sum of Rs.1,00,000/- as cash security to the credit of Crime No.2670 of 2020 before the learned Judicial Magistrate No.II, Madurai.

(c) the petitioner shall report before the respondent police as and when required for interrogation.

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners 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.

5.Since the petitioner and the defacto complainant are neighbours, the matter is referred to the Mediation Centre attached to the District Legal Services Authority, Madurai District for mediation, which shall conduct mediation so that the future of the petitioner may not be affected, if the matter is compromised between them. The petitioner and the defacto complainant shall appear



before the Mediation Centre attached to the District Legal Services Authority, Madurai District, on receipt of notice.

sd/-
31/12/2020

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/ /2021
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, MADURAI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
SELLUR POLICE STATION, MADURAI CITY.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
THE DISTRICT LEGAL SERVICES AUTHORITY,
MADURAI DISTRICT.

+1. CC to M/S.JEYAKARTHIK.M.S. Advocate SR.No.8587

ORDER
IN
CRL OP(MD) No.16151 of 2020
Date :31/12/2020

RMK/IAS
TK/VR/SAR.1/05.01.2021/3P/7C