



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

Date : 06/01/2020

PRESENT

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

CRL OP(MD). No.19290 of 2019

Varadhagomathi

... Petitioner/Accused Rank not known

Vs.

State Rep.by
The Inspector of Police,
SIPCOT Police Station,
Tuticorin District.
(In Crime No.494 of 2019).

... Respondent/Complainant

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

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

For Intervenor : Mr.N.S.Karthikeyan, Advocate

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

PRAYER :-

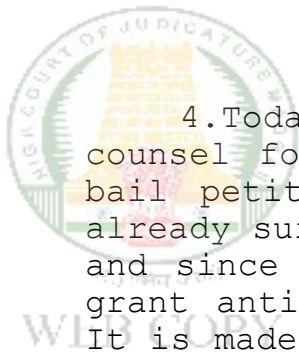
For Anticipatory Bail in Crime No.494 of 2019 on the file of the Respondent Police.

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 Sections 420, 467, 468, 294(b), 506(2) and 34 of IPC in Crime No.494 of 2019 on the file of the respondent police, seeks anticipatory bail.

3.The case of the defacto complainant is that A1 was acting as the Manager of the defacto complainant's company and he had misappropriated certain amounts. A2 is none other than his wife. When A2's anticipatory bail petition came up for hearing, this Court made it clear that unless A1 surrenders, her bail petition will not be taken into consideration.



4.Today when the matter was taken up for hearing, the learned counsel for the petitioner stated that A1 has surrendered and his bail petition was dismissed by the court below. Since A1 had already surrendered and since the petitioner happens to be A1's wife and since the petitioner was made use of by A1, I am inclined to grant anticipatory bail to the petitioner with certain conditions. It is made clear that this order granting anticipatory bail to the second accused will not be extended to the benefit of A1. His case will be considered entirely on its own merits. This Court grants relief to the petitioner herein by proceeding on the premise that she is only a tool at the hands of A1.

5.Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.III, Tuticorin 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 the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
06/01/2020

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, TUTICORIN.
2 -DO-THRO- THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
3 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, TUTICORIN DISTRICT.

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

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-230[I] dated 07/01/2020)
ORDER IN
CRL OP(MD) No.19290 of 2019
Date :06/01/2020

skm

<https://hcservices.ecourts.gov.in/Services/1.2020/2P/6C>