

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.222 of 2021

Uma Paripooranam

.. Petitioner

Vs.

The Inspector of Police,
Sathuvacheri Town Police Station,
Vellore District.
(Crime No.1559 of 2020)

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of her arrest in Crime No.1559 of 2020 pending investigation on the file of the Respondent.

For Petitioner : Mr.M.R.Senthilkumar

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner was an accused in a private complaint in C.C.No.192 of 2014 under Section 138 of N.I. Act before the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Vellore. Earlier, since the petitioner has not appeared before the Court, a case has been registered under Section 229-A of IPC in Crime No.1559 of 2020 by the respondent police. Apprehending arrest at the hands of the respondent police for the alleged offence under Section 229A of IPC in Crime No.1559 of 2020, the petitioner seeks anticipatory bail.

2. The learned Additional Public Prosecutor appearing for the respondent would submit that now the petitioner is regularly appearing before the Trial Court.

3. Considering the facts and circumstances of the case, and the fact that the petitioner is now appearing before the Trial Court regularly, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions :

(a) 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, Vellore, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(b) 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.

(c) The petitioner shall appear before the trial Court on all hearings dates.

(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].

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-

25/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.V, VELLORE

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 JUDICIAL MAGISTRATE,
FAST TRACK COURT (MAGISTERIAL LEVEL),
VELLORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

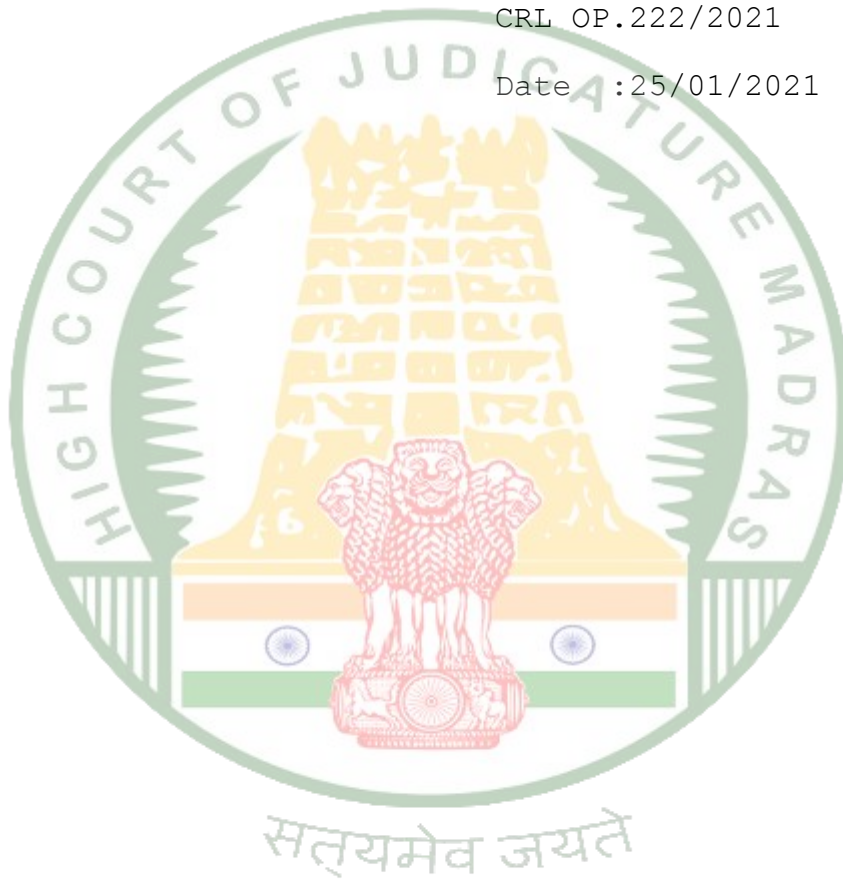
5 THE INSPECTOR OF POLICE,
SATHUVACHERY POLICE STATION,
VELLORE DISTRICT.

CC to M/S.M.R.SENTHILKUMAR Advocate on payment of necessary
charges

CRL OP.222/2021

Date :25/01/2021

RVR 09/02/2021



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